[*41482]

Disenssion of Public Comments

1. Geveral Comments

ATA, JATA, and RAA expressed concem that publication of the TAM at this time would be premature and sag-gested delaying its publication pending the conclusion of the rulemakings regarding at 382, in the Notice of Pro-poned Rule naking (NPRIM) extending part 382 to foreign carriers (69 FR 64364), an NPRM still in preparation to ac commodate passengers who are deaf, hard of hearing and deaf-blind, and an NPRM still in preparation concerning the needs of pessengers who require in-flight medical oxygen. ATA and RAA argued that finalizing the TAM before com-pleting the upcoming rulemakings involving part 382 would be counterproductive and contrary to congressional intent since these rulemakings would likely require significant revisions to the TAM. LATA further stated that it cannot com-ment on the TAM as it views it as a "work in progress" that will be subject to several changes in the future. On the other hand, Mexicana commented that, although the final rule modifying part 382 to cove foreign air carriers has not yet been issued, it believed that the TAM would be helpful in assisting and guiding foreign carriers in implementing pro-grams and policies that fulfill the general obligations of non-discrimination on the basis of disability in air travel.

As a soparato matter, LATA noted that it found the TAM to be too lengthy and complex to be easily understood by individuals whose native language is not English and suggested that DOT develop a plain language version.

DOT also received comments from members of the general public. One individual rouested that DOT not allow the use of celluler telephones onboard aircraft in flight. Another comruenter implied that DOT is making changes to its disability rules without public comment/consultation and appeared to be asking DOT to consult with members of the public before making any changes to its disability-related regulations. This commenter also seened concerned about the risk to his health or safety if cafriers permit an individual who has a communicable disease or infection to fly on an air-craft and asked that DOT require carriers to operaie "a safe, healthful plane."

DOT Response: DOT appreciates the reason that several commenters recommended that the

publication of the TAM be delayed until the upcoming ruleraakings regarding part 382 have been completed. However, there has already been too lengthy a delay in the publication of this TAM. Congress required DOT to provide a zchnical assistance man-ual to air carriers and individuals with disabilities in April 2000, and it is likely that the ruletnakinga regarding part 382 will not be finalized until at least 2006. Therefore, DOT opta not to delay completion of the TAM. The TAM will be rovined, as needed, after the rulemakings are completed.

With regard to the comtuent that the TAM is too longthy and the recommendation that DOT develop a plain les-guage version for use by individuals whose native language is not Boglish, DOT believes that the TAM, as written, is straightforward and written in plain English. DOT does recognize that the TAM is a lengthy document, which is primar-ily a result of our effort to ensure that each section of the TAM is a separate "stand aloue document." Because the TAM follows the chronologicai path of an air traveler with a disability from making a reservation through the completion of the rip and each subject is discussed in the context of the particular stage of the uip, a particular tople may be raised in more than one section. DOT will revisit the issue of whether to restructure the TAlvd for greater clarity, including using additional "plain language techniques (e.g., question and answer forasat) to the extent feasible to improve the clarity of the TAM, at the time that the TAM is revised to reflect changes in part 382 that may result from the current and antici pated rulemakings.

With respect to the cataments received from members of the public, they do por necessato any changes to the TAM. Ceflular telephone usage on aircraft is not addressed in the TAM and is outside the T'AM's scope. As for the comunent regarding consultation with members of the public prior to the lasuance of a disability rule, DOT has always and will continue to provide public notice of any ralemaking in accordance with the Administativo Pronudare Act (APA). DOT has even goue boyond APA requirements to provide noties to the public of guldance decunsents such as the publication of this TAM in the Federal Register. Finally, with regard to the comment tha DOT mandate carriors to operate a safe and healthfat aircraft, DOT believes diat carriers already do provide such gate or their passengern. Fur ther, the Federal Aviation Adininistration (FAA) and not OST is the agency that issues en courier satiaty regulations.

[*41483]

2. Chapter 1: Understanding How To Use This Manual

One carrior and two carrier associations sought further assurances from DOT that the TAM's use would not be suggestion that DOT add language in the introduction of he TAM stating clearly that the TANM is a guidance document mandatory and that the TAM would not expand air carries' legal obligations under part 382. To this end, there was a and that the TAM's language and examples provided are consistent with, and do not exceed, current law.

DOT Response: DOT restates its position that the TAM does not impose additional legal obligations on carriers. Further, as requested, DOT has added language in the invoduction of the TAM to explain that the TAM does not ex-pand air carriors' legal obligations or establish new requirements under the law. DOT also clarifies that it is not mandat-ing the use of the TAM but rather encouraging its use to ensure the proper implementation of part 382.

3. Chapter 2: Learning the Basics About the Law Protecting Air Travelers With Disabilities

ATA expressed concern that DOT is creating an impression that a violation of the ACAA and part 382 occurs in gers because of a flight cancellation but is unable to provide accessible ground transportation and overnight accommo-circumstances where an air carrier chooses to provide ground transportation and overnight accommodations to passen-dations to a passenger with a disability. It further remarked that air carriers will make every reasonable effort to locate and provide accessibile ground transportation and accommodations but such accommodations may not always be avail-able. The carrier association also disputes DOT's interpretation that section 382.39(a)(1) requires an air carrier to pro-vide personnal to asist passengers with disabilities in carrying baggage through the airport terminal.

DOT Response: A violation of the ACAA and part 382 does occur in circunstances where an air carrier chooses to able to provide accessible ground transportation and overnight sccommodations to a passenger with a disability. Section provide ground transportation and overnight accommodations to passengers because of a flight cancellation but is un-382.7(a)(3) prohibits a carrier from exoluding a passenger with a disability from or denying the person the benefit of any air transportation or related services that are available to other persons except when specifically permitted by an-other section of part 382. Further, ground transportation

companies and hotels are required to comply with the Ameri-cans with Disabilities Act. As a result, carriers should not have difficulty in locating accessible ground transportation and overnight accommodations for a passenger with a disability. Of course, DOT recognizes that there may be unusual circumstances under which carriers may not be able to provide accessible ground transportation and hotel accommoda-tion to a passenger with a disability but such a failure would still be a violation of the ACAA and part 382. In such situations, DOT's Aviation Enforcement Office may choose to use its discretionary power and not pursue enforcement action if the carrier can dezmonstrate that it made every reasonable offort to locate and provide accessible ground trans-portation and accommodations but they simply were not available.

With respect to ATA's assertion that section 382.39(a)(1) does not require carriers to assist passengers with disabili ties in carrying their baggage through the airport terminal, DOT disagrees. DOT believes that implicit in the requiro-ment to provide enplaning, deplaning and connecting assistance is the obligation of carriers to assist passengers with disabilities with carry-on or gate-checked luggage as they go between connecting flights or between a terminal entrance and a gate.

4. Chapter 3: Assisting Air Travelers With Disabilities Planning a Trip

ATA contends that the example DOT provided of a passenger with a disability who does not meet the advance no-tice requirement to check-in his battery-powered whesichair and spillablo battery is misleading and misstates the re-quiroment in section 382.33(c) bocause it implies that the late-arriving passenger and not the air carrier makes the de-termination as to whether the service or accommodation can be provided without delaying the flight. ATA also strongly disagrees with the DOT's interpretation that section 382.35 requires an air ourrier to provide free transportation to a per son who volunteers to be an attendant for a disabled passenger that the currier insists needs an attendant over the pas

senger's objection. Delta expressed serious concerns that the draft TAM states that the carrier should be able to provide information to a passenger regarding seats unavailable for use by an individual with a disability (eg., edt row seat) and the location of sents with a movable armrest. Delta explained that it would not be able to provide information about the seats on its aircraft if a passonger makes a flight reservation more than a few days in advance of his/her flight because the specific location of seats is determined by ship number and the carrier assigos an aircraft to a specific flight by ship number only

two or three days in advance of the flight. The carrier also asked that the language in the service animal section be clari-fied so it is clear that current regulations require that another seat be offered if a service animal cannot be accommo dated at the passenger's assigned seat only when a seat exists in the some class of service.

Mexicana objected to language in the draft TAM indicating that carrier persomel would be required to make a de-termination as to whether a communicable disease poses a direct threat to the health or safety of others by an asacasment based on reasonable judgmeat relying on "current medical knowledge" or the "best available objective evidence." The cartier expressed concern that this requirement would be an undue burden and create extensive legal liabilities for the carrier.

DOT Response: It was not DOT's intention to fraply that a late-arriving passenger who wants to check-in his or her battery-powered wheelchair would make the determination as to whether the service can be provided without delaying the flight. Under section 382.33(c), If a passenger does not meet advance notice or check-in requirements, the carrier must nonetheless provide the service requested if it can do so by making a reasonable effort. The advance actice provi-sion allows carriers sufficient time to prepare to make whatever special arrangements may be needed to provide certain requested accommodations. However, if advance notice is not provided, it has always been DOT's intention that the carrier would make the determination as to whether it can provide the requested accommodation by making a resson-able effort. The advance notice example involving Mr. Thomas provided in the TAM discusses Mr. Thomas' perception thar it is feasible to provide the requested accommodation without delaying the flight but properly states that the carier must accommodate Mr. Thomas, his battery-powered wheelchair and the the spillable battery even though Mr. Thomas did not provide advance notice "[i]f this is the case," te, if it is feasible to provide the requested accommodation without delaying the flight. In other words, the requirement for a carrier to provide the requested

(*41484] accommodation applies even if advance notice has not been provided if it can be accomplished through reasonable efforts and this determination for the carrier, not a passenger, to make.

DOT has modlißed the language in the TAM regarding service animals to clarify that if a service animal cannot be accommodated at the passenger's sasigned soat then a carrier la required to offer that passenger another seat in the same class of service. The carrier is not obligated to offer a seat in a better class of service (e.g., first class seat instead of coec sest) to nccommodate the disability

DOT declines to modify language in the TAM pertaining to information carriers should provide passengers with disability regarding seats unavailable for their use (eg., exit row seat) and the location of seats with a movable armrest, The TAM acourstely discusses the require anent in section 382.45(a)(1). It states that accessibility information pertaining to the specific aircraft scheduled for a spezific flight is required when feasible (omphasis added). In addition, the non man istory word "should rather than "must" is used to describe the carriers obligation to provide information about aire: aft accessibility for passengers with disability which leaves open the possibility that there may be times when cumlens would not be violating 382,45(a): 1) by not providing the requested information because it was not feasible to do

With respect to the coniment concerning communicable diseases, DOT cannot change the TAM provision that ear riers make a determination as to whether a commimivable disease poses a direct threat to the health or safety of others. This requirement is set forth in section 32.51(b)(3) and it would not be appropriate for DOT to change or modify an existing requirement set forth in part 380 through the TAM. The TAM la the appropriate vehicle to clarify or explain the requirements in part 382 to ensure their proper implementation but is not the appropriate place to add, reducs, or change carriers obligations. Requests for change to carriers' current obligations regarding communicable diseases would be more appropriate for consideration in a rulemaking process.

With regard to the attendant Issue, DOT disagrees with the commenter and interprets section 382.35 to require cartier to cover the cost of transportation for a safety attendant who is required by a carrier over the objection of a pas senger with a disability. Carriers are required not to charge for the transportation of a safety assistant (including provid ing a refund to a ticketed passenger who saves at a safety assistant) where a carrier's assessment that such assistance is needed is contrary to a disabled individual's self-assessment. According to the rule, the attitude of the safety assistant (te., willingness to volunteer for free) does not matter. The free-transportation provision for safety attendants is not new and has been required of carriers since 1990. Of course, the currier may select the most cost-effective manner to comply with the requirement whether that means selecting its own personnel or a non-revenue passenger to serve as a safety attendant or soliciting volunteer passengers in

exchange for a free one-way ticket.

5. Chapter 5: Asslating Air Travelers With Disabilities Boarding, Deplaning and During the Flight

Delta recommended that, in the section that addresses the stowage and treatment of personal equipment used by passengers with a disability, DOT include apecific elations to the applicable FAA safety regulations and DOT hazard-ous materials regulations that govern items that can and cannot be brought aboard aircrsit, eg, ventilators/respirators, non-spillable hattarios.

Mexicana believes that the language in the TAM regarding assisting passengers with the use of on-board wheel-chairs Inaccurately states that the carrier has the responsibility to transfer a disabled passenger from his or her seat to the sisle chair to mable him/her to move to and from the lavatory. Mexicana requested that DOT. Include language in the TAM that states that lifting and currying a passenger with a mobility impairment from his/her seat to an aisle chair is not required to comply with section 382.39(b)(3). The carrier argued that requiring the lifting or carrying of a passenger to the sisis chair from his/her seat could lond to anlous injury to carrier personnel and or the passenger.

DOT Response: DOT is not convinced that it would be useful to provide specific citations to PAA safety and DOT hazardous materials regulations with respect to items that can and cannot be brought aboned aircruft because the TAM would need to be amended each time that there is a change in the PAA safety or DOT hazardous materials regulations. Also, carriers may unduly rely on the citations provided in the TAM and not keep up to date on changes in the FAA safety or DOT hanudom materials regulations that may occur over time.

DOT decimes to makes changes to the language in the TAM regarding assisting passengers with the use of on-bourd wheelchairs as it accurately describes the requirement in section 382.39(6)(3) Although section 382.39(b)(3) door not explicitly state that assisting a passenger with the use of an on-board wheelchair lncludes transferring the pas seunger from his/her sest to the sisle chair, the preamble of the originally issued part 382, catod 1-March 6, 1990, does msice this polat clearly 35 FR 8008. The preamble to the 1990 rule contains a detailed discussion on required carrie porscruel ansinence to persous uslag on-board chaita. It addressee conuments from air cammer associatione, ronilar to the

one made by the commenter on the TAM, that carrier personnel should not be required to assist with the use of an on-board wheelchair because of risks of injury. DOT decided, in 1990, that an on-board chair is not a device in which an individual with a disability can be independently mobile and carrier personnel must assist a disabled passenger not only by pushing him/her in an on-board chair but also by lifting the passenger onto the on board aisle chair when necessary.

6. Appendix III: Frequently Asked Questions

ATA commented that the draft TAM is inaccurate and misleading when it states that secidon 382.39 requires carri-ers (1) to provide wheelchath explaning help, on request, from the curb to the airplane on departure, and from the air-plane back out to the curb upon arrival; and (ii) to assisi a disabled passenger in claiming his or her checked Inggage before assisting him/her in a wheelchair to the curb if requested. ATA noted that these details are not addressed in the current part 382 and are the subject of the November 4, 2004, NPRM proposing to rovise part 382 to update, reorganize and clarify the rule and to implement a statutory requirement to cover foreign air carriers under the ACAA

DOT Response: DOT disagrees with the commentor and views section 382.39 as requiring enplaning assistance from the curb at the entrance to the terminal to the aircraft and deplaning assistance from the aircraft to the curb at the exit of the terminal when requested by a disabled passenger. This is not a new DOT Interprecation. Also, DOT believes that implicit in the requirement to provide explaning, deplaning and commecting assistance is the obligation of carriers to assin passengers witch disabilities with carry-on or gate-checked luggage as they go between connecting flights or be-tween a terminal entrance and a gate. DOT acknowledges that these details are

41485] covered in the November 4, 2004, NPRM at ATA pointed out; however, the NPRM is making a clarifi cation of an existing reja ton No and not proposing to establish a new rule, lodeed, the 2004 NPRM explains that it is stating the obligation explicitly to avoid any misunderstanding

Disenssion of Changes to. TAM Unrelated to Public Comments Received

not based on public come int. The ages constat primarily the following: (1) Clarifying in the example provided in DOT has made several clarifying changes to the technical assistance manual proposed on April 20, 2005, that are Chapter 2 regarding Adam (a passenger who has had severe epileptic seizures in the past) that airlino personnel must to him; (2) explaining intre ennuit paberideda Chapter 3 un for communicable disenses of a passenger who appre

reasonably believe that there is a real safety rak to him or a direct threat to other pessengers to lawfully deny transpor to have chicken pox that cirline personnel shenki make a deter afnation as to whether the passenger poses a direct threat to the health or safnty of others based on the mess of the health risk and the ease of disease treasmittal; and (3) vise the passenger of the existence of the Department's aviation consumer disability hotline for resolving issues related suggesting in Chapter 6 that whenever a passenger raises a disability-related concern that carrier pe sonnel should ad-to disability accommodations. DOT believes that these changes to the TAM will make it a more useil document.

What Airline Employees, Airline Contractors, and Air Travelers With Disabilities Need To Know About Access to Air Travel for Persons With Disabilities

A Guide to the Alr Carrts Acces Act (ACAA) and Its Implementing Regulations, 14 CFR Part 382 (Part 382)

Table of Contents

Chapter 1: Understanding How To Use This Manual

A. Introduction

B. Background

C. Keyword Definitions JS

Chapter 2: Learning the Besios About the Law Protecting Air Travelers With Disabilities 15

Chapter 3: Assisting Air Travelers With Disabilities Planning a Trip

A. Advance Notice

B. Information about the Aircraft 2

C. Mobility Aids and Assistive Devices

D. Service Animals152

E. Accommodations for Air Travelers who are Deaf, Hard of Hearing, or Deaf-Blind

F. Commamicable Diseases t

G. Medical Certificates: When are they Allowed?

H. Your Obligation to Provide Services and Equipmen

1. Safety Assistants A

Chapter 4: Assisting Air Travelers With Disabilities at the Apart

A. Accessibility of Terminal Facilities and Services

1

B. Security Screenings for Air Travelers with a Disability

C. Air Travelers with a Disability Changing Planes 24

D. Accommodations for Air Travelers who are Deaf, Hard of Hearing, or Deaf-Blind

29

E. Salety Assistants29.20

Chapter 5: Assisting Air Travelors With Disabilities Boarding, Deplaning, and During the Flight

3

A. Aircraft Accessibility

31

B. Seating Assignments and Accommodations

31

C. Boarding and Deplaning Assistance

D. Stowing and Troatnient of Personal Equipment

55

E. Sorvices in the Cabin

41

F. Selety Briefings

Chapter 6: Assisting Air Travelers With Disabilities With Their Complaints2

A. Complaint Procedures and Consplaints Reaolution Officials (CRO's)

17

B. Process to Resolve Complaints

C. General Complaint Resolution Tips

D. Recording, Caregorizing, and Repeating Written Disability-related Complaints Received by Carriers

Chapter 7: Interacting With People With Disabilities

Todices

Alphabetical Index

Part 382 Index

Appeudices

1. Tips for Air Travelers With Disabilisies

IL. Airline Management-Related Innuer

III. Frequently Asked Questions

IV. Recent DOT Raforcement Orders Related to the ACAA

V. 14 CFR Part 382

VI. DOT Guidance Concerning Service Animals in Air Transportation

Chapter 1: Understandlag How To Use This Manual

A. Introduction

Pago 10

B. Background

C. Kaywer Dellnitions

A. Introduction

Purpose of the Manila

This innual is a guide to the Air Carrier Access Act (ACAA) and its implementing regulations, 14 CFR part 382 (part 382), is designed to aprve as a brief butthoritative source of information about the services, facilities, and ao commodations required by the ACAA and the provisions of part 382. The manual does not expand air carriers' legal obligations or establish new requirements under the law. it contains suggested practices and procedures for carriers to tise on a velaninay basis to implement part 382.

The primary purpose of the mamaal is to help you, employeea/contructors of air carriers and employees/contractors of indirect air carriers that provide services or facilities to passengers with disabilities, to assist those passengers in ac protect the civil rights of air travelers with disal ilities when providing services, facilities, and sccommodations to them cordance with the law, Knowing your legal responsibilities will help ensure consistent compliance with the law and

Throughout the manual, rather than talking about air carriers' or indirect air carriers' employees/contractors such as yourself in the third person, the word "you" is used. In most instances, the word "you" refers to personnel who deal di-reetly with the traveling public. Moreover, the obligations and responsibilities under the law as set forth in the manual must be rood within the context of each specific employee's duties on the job.

ACAA and the provision of 38 Accordingly, in addition to the other useful information in this manual, Appendix A second purpose of this manual is to offer air travelers with disabilities information about their rights under the I contine liste for Air Travelers with Disabilities" to help ensure a smooth and comfortable trip. In addition, Appendix III provides a list of "Frequently Asked Questions" and answers and Appendix IV contains a list of "Recent DOT Entecement Orders Related to the ACAA." These DOT enforcement orders are useful because they provide ex-amples in which DOT has interpreted some of the provisions of the ACAA and part 382 under particular circumstances.

B. Background

US. Air Carriers

In 1986, Congress passed the ACAA, which prohibits discrimination by U.S. air carriers against qualified individu-ale with disabilities, 49 U.S.C. 41705. In

[*41486] 1990, the Department of Transportation (DOT) ismed part 382, the regulations definirut the rights of pas-sengers with disabilities and the obligations of U.S. air carriers under the ACAA. Since then, these reculations have of ways: preambles to regulatory amendments, industry letters, correspondence with individual carriers or complainants, been amended a number of cimes. DOT has also issued guidance to air carriers on the ACAA and par 382 in a variety enforcement actions. Web site pasings, and informal conversations with the public and air carriers.

Foreign Alr Carriers

Os April 5, 2000, the Wendell H. Ford Aviation Investnout and Reforin Act for the 21st Century ("AIR-21", Pub. 1. 106-181) amended the ACAA to cover foreign air carriers. Although a final role modifying part 382 to cover foreign tries has not yet been issued, la May 2000 DOT's Office of the Assistant General Counsel for Aviation Enforeign air card Proceedings (Raicrcement Office) issued a urtica inforphing the pubhe of its intent to use the provisions of 381 as guidance in investigating any complaints of non-compliance with the ACAA by foreign curiers. In addition, July 2003 DOT amended part 332 by adding a new section, 382.70, that requires both U.S. carriers and foreign cari w to recond sand report to DOT on written disability-related complaints that they receive. At the prosat time, section 382.70 is the only provision of part 382 that specifically states that it applies to foreign carriers. Finally, a notice of pro Boved relemaking (NPRM) proposing to extend the other provisions of part 382 to foreign carziars was published on November 4, 2004. Therefore, while the majority of this manual does not expressly apply to foreign carriers, they thould look to this documer! and part 382 in stisfying their genaral nondiscrimination obligations under AIR-21 and DOT May 2000 guidance.

*NOTE: Effective May 13, 2009, Part 382 expressly applies to foreigu carriers as a result of the 2007 revisions to Part 382.

Development of Technical Assistance Manual

In 2000, Congress required DOT to create a technical assistance manual to provide guidance to

individuals and en-titles with rights or responsibilities under the ACAA. This manual responds to that mandate. In creating this manual, DOT beld meetings with representatives from the disability community, air carriers, and organizations that contract with air carriers to provide diasbility-related services. Those who attended the meetings made suggestions for this nummal. All of these suggestions have been thoroughly considered by DOT and incorporated where appropriate.

ACCESS

A step-by-step process for resolving issues involving passengers with disabilities appears later in this manual Whethn the issue is a matter of law, custonant service, or both, the ACCESS cheeldist will be weful in identifying the needs of passengers with disabilities and determining what accommodations the air carriers are required to provide as a matter of law. See Chapter 6, section B

How To Use This Mormaal

This manual is strucnued in the name sequence as the steps a passeigar would encounter on a my, te, require cocerning

Pleaning & flight,

The airport experience,

Enpinting, doplating, and making connections,

Services during a glit nod

Responding to disabcatty enlated complaints.

This is const the following tools to analet you in quickly and easily finding the answer to your questione

A Table of Contents of the beginning of the naimmal;

An Alphabetondersterke the named; und

A part 382 Suding the into part 382 at the beek of the mem

Abe, die üllowing pandiser at the mad of the mamuel:

Apparat "Tips for Air Travelers with Disabilities" as they relam to the most commonly-used accommodations, fheilties, and services that carriers are required to make available to such passengers;

Appendix I. A list of concerns applicable mainly to air carrior management, as opposed to frontiine customer ser vico personnel;

Appendix III: A list of "Frequently Asked Questions" and answer;

Appena IV: A list of "Recent DOT Enforcement Orders Relates to the ACAA";

Appamats: The full text of part 382; and

Apyrandi 1. The DOT document "Guidance Concerning Service Animals in Air Transportation."

Thares of The Mansial

Legal Requirements and Customer Service

This manual highlights the difference between actions you must take according to the law as stated in part 382 and actions that you may choose to twice in an effort to provide superior customer service to passengers with disabilities. Legal requirements are generally designated by the words, "must" or "shall" in the manual. Words such as "should" or may indicate accommodations that part 382 does not require but that DOT recommends and that you may decide to provide as a matter of good customer service.

Safety

Where applicable, this manual discusses how to properiy and lawiully consider aircraft and passenger safety when providing transportation to passengers with disabilities. Part 382 does not require or mathorize you to diaregard FAA safety regulations. Where different treatment of passengers with disabilities or other restrictions are mandated by an FAA safety regulation, part 382 allows you to comply with the FAA safery regulation. For example, if an FAA safety nale provides that only persons who can perform certain functions can sit in an exit row, then you can request that an individuni unable to perform those functions (regardless of whether that individual has a disability) sit in another row. If the passenger refuaes, you can properly deny transportation to such passengers.

However, where an optional carrier action that is not required by FAA rules would result in different treatment of passengers with disabilities, or in other restrictions, then the ACAA and the provisions of part 382 prohibit you from Implementing the optional carrier action even if it might ensure safety. For instance, suppose ABC Airways required only passengers with disabilitics-not all passengers-to provide correct answers to a quiz about the content of a safety briefing and a passenger with a disability either refused to respond or filled such a quiz. It would not be appropriate to deny transportstion to a passenger with a disability on such grounds unless the carrier's policies and procedures consis-testly trested all pantogers in a similar manner.

In short, part 382 is consistent with FAA safety requirements as it allows you to follow FAA safety rules and to on-sure that the salb completion of the flight or the health and safety of other passengers are not jeopardized. Determina-tions about whether an FAA rule requires different treatment of a passenger with a disability for safety reasons often depend on the

circumstances you encounter. Therefore, it is important that you seek information from passengers with disabilities and their traveling companions and make a reasonable

[414077 judgment considering all available information.

The F/A safety mandates can be found in the Code of Federal Regulations (14 CFR parts 60 through 139), FAA guidance in tempreting these regulations, and Airworthiness Directives (see http://www.faa.gov, click on "Aircraft Guid-ance" and then click on "Airworthiness Directives").

Security

This manual addresses security procedures, particularly those enacted after the terrorist hijackings and tragic events of Septem er 11, 2001, which affect or may affect the types of accommodations and services provided to passangers with disabilities. Similar to the situation involving FAA safety requirements, part 322 is consistent with security re-quireuvent mandated by the Transportation Security Administration (TSA). For example, TSA has strict rules as to which persona can go beyond the screener checkpoints, but these TSA rules are consistent with part 382 and do not in-validess your obligation to provide enplaning and deplaning assistance requested by passengers with disabilities, inchid-Ing assista on beyond screener checkpoints. You do have discretion in how that assistance is provided. You can provide (1)a "pass" allewing in individual who needs to assist a passenger with a disability in go through the screener check-point without a ticket; (ii) assistance directly to the passengm; or (ii) both.

Coutractors

This manual recognizes the important role that contractors play in providing services, equipment, and other ac-commodations to passengers with disabilities. A contactor is an entity that has a business arrangement with an air carrier to parform functions than the ACAA and part 332 would otherwise require the air carrier to perform with its own em-ployees. Contractors provide a variety of services on bahalf of air carriers in furnishing assistance to persons with dis abilities Forple, contractors often provide wheelchair service, pasist passengers with disabilities on and off air-craft, trasport passengers with disabilities between

departure gates, and work as baggage handlent who handle passen-gem wheelchairs and other assistive devices. Contractors must provide the sazoe services, equipment, and other ac-commodations required of an all carrier and its employees by the ACAA and part 382. As an employee of a contractor, you are therofore required to follow the mandates of the ACAA and part 382 when providing services, equipament, and offer scommunodations to passengers with disabilities. If you do not follow the mandates of the ACAA and part 382, the air carrier is subject to saforcement action by DOT for your failure.

C. Keyword Definitions

Following it a list of key words whose definitions will help you fully understand this raanual.

Ar Transportation Interstate, overseas, or foreign air transportation, or the transportation of mail by aircraft, as de fed in 49 U.SC. 40102. [Sec. 382.3]

Astaire Device can say piece of equipment that assists a passenger with a disability to cope with the effects of his or her disability. Such devices are fotonded to assist a passenger with a disability to beer, see, communicate, ma nem, ar perform other functions of daily life, and may include medical devices and pondications, Sec. 332.3]

Carrier theans a UB. citizen ("U.S. carrier") or foreign citizen ("foreign carrier") that undertakes, directly or indi-rectly, or by a Inass of any other arrangement, to sagage in air transportation. (Soc. 3823]

Complaints Renturion Officiel (CRO): One or more individuals designated by onch wir conier who amat be thor-the provision of acevicos, facilities, and accommodations to paasengers with disabilities. A CRO must have the authority ugly familiar with the requirements of parn 382 and the air carrier's policies and procedures addresslag part 382 and tonsave desblity-dated complatnits on behalf of an air carrier. A CRO must be available to addrosa disability-related cope promend by passengers or other individuals. A CRO amat be available [1] in an at the airport, or [2] via TTY an air carrier is operating [Sec. 312.151 and 382.133)

Commer: A contuctor is an entity that has a business arrangensent with an se carrier to perform functions that the carries have since seragrances with companies to provide

wheelchair service to passengers with disabilities erinarnould viele repaired to perform with as own employees under the ACAA and part 382. For axsaxple, er bandle baggage (80 382.15)

Cat Beige: An individual that works for se organizations that has a bus magnant with one or ation to provide stevices, fuolinies, and other accommodations to pasangsus with dhabilities. (Seo. 382.15]

Department or DOT or US. Department of Transportation: The Federal agency that works to ensure a fast, safe, the quality of Hfe of the American people, DOT has nine operating administrations, in addition to the Office of the Seo-efficient, accessible, and convenient ransportation system that meets the Nation's vital national interests and enhances retary of Transportation (OST): Bureau of Transportation Statistics, Federal Aviation Administration (FAA), Federal Highways Admini ustion, Federation, Federal Transit Administration, Maritino Administration, National Highway Transportation Safety Administration, Research and Special Programs Administration, and the St. Lawrence Seaway Development Corporation. [Sec. 382.3] The responsibility for implementing the ACAA resides in OST.

DOT Disabili Hotline or Hotline: The toll free telephone hotline system that provides general information about the rights of nir ten valors with disabilities, responds to requests for information, and assists air travelers with time-aensitive disability-related issues. Members of the public may call 1-800-778-4838 (voice) o 1-800-455-9880 (TTY) from 7 a.m. to 11 pm. Eastern time, seven days a week to receive assistance regarding air travel by individuals with disabilities.

FAA: The Fedoral administration that oversees the safety of our Nation's civil aviation system. Safety is the first and foremost mission of the FAA and includes the issuance and enforcement of regulations and standards related to the manufacture, operation, certification, and maintenance of aircraft. (Sec. 382.3]

Facility: mears a carrier's aircraft and any portion of an airport that a carrier owns, leases, or controls (e.g., struc-mares, roads, walks, parking lots, ticketing areas, baggage drop-off and retrieval sites, gates, other boarding locations, loading bridges) normally used by passengers or other members of the public. [Sec. 382.3]

Indirect Air Carrier: means a person not directly involved in the operation of an aircraft who sells air transportation services to the general public other than as an authorized agent of a carrier. [Sec. 382.3]

[41489)

deal with Digabilio: Any Individual who:

Hp a physical or mental inspaimant that, on a permanent or compornCy basis,

Substantially limits ons ce more major life activities, Has a record of such sa impairment, or la regeriled as baving such an impairment. [Sec. 382.3]

Qlified Indictigal with a Dirability: An Individual with a dirability who Accompanies or meets a maveler using sport facilities;

Seekz information about schedules, fares, or policians Attempts to use fincilition or services offered to the general public by an air carrier, For a theket, or makes a good faith attempt to buy a valid ticket for a flight; Arrives with a valid ticker for the flight; and

Meets reasonable, noudis criminstory requirements applicable to all passengers. [Sec. 382.3)

Saonice sinal: Any animal that is individually trained or able to provide assistance to a qualified person with a disability or any animal shown by documentation to be necessary for the emotional well being of a passenger. With re-spect to emotional supporn animale, although carriera may require documentation to verify that an animal is an emo-seal kopporr animal, such documemation is not required under the law.

NOTE Foreign carriers are only required to transport dogs as service nalmals.

Doga, cam, and monkeys are among those that have been individually trained and act as service animals. Service animals aay naatst people with disabilities by, for example:

Quiding persons with vision impairment;

Alerting perscer with deafness to specific sounds; Alerting persons with epilepsy of imunincut suizare onset, Pulling a wheelchair;

Assisting persone with mobility impairments with balance; nod

Providing emotional support for persons with disabilities. [Sec. 382.117]

Ta Telephone (77) Telecommunicattorg Devices for the Deof (TDD); TTYs, also called TDDs, are devices taslow individuals who ate umble to use a regular telephine to make or rocsive telephone calls by enabling them to fotis. The TTY benefits people who are deaf, band ofheating, or speech itepaired and individuala ding to oumeriosts with them. The conversation is typed back and forth and is displayed on a lighted display ane, a paper print-cur in the TTY/TDD device, or a computer stores using specialized TTY software. A TTY may wowed to ploos a relay call to a party with a rogaliz telephone. See Chapter 4, Soction D.

Trmaportation Security Administration (154) An adoninistration whain the Department of Homeland Security that cht with protering the security of the Mation's transportation systema to ensure freedots of rouverent for people The Aviation and Transportation Security Act, signed into tow on November 19, 2001, brought airport thality to hire, train, hausage, and disciptina security serensers) under the direct authority THA

Chapter 3 Leanniling the Barles About the Law Protecting Air Travelers With Asahithies

The don the Ar Carrier AcoA (ACA) The ACAA prohibits LLS, and foreign air curiers from dis giwa waveler with a deability on the baals of stability (19 3.8.C. 41705)

Whale CFR Part 357 35217 Part 382 is a derailed stor rites thai dulus su carriers' composabitisies un Addities will be turned withoun districtination selesant with the

riers and their leaflate agents, light attendants, luggage handiers, pilots, etc.); (2) authorized Who him to follow part 3827 The following orgmizations and individuals must comply with part 382: (1) Air car-agents of an air carrier (eg, envel agents); (3) organizations and their employees that have business arrangements with sir carriers to provide disability-relined services (eg., wheelchair service, baggage handling, etc.); and (4) indirect air carriers and their employees (eg., tour operators) that provide facilities, ervices, or other accommodations to passen-gars with disabilities.

Who is protected by part 382? Part 382 protects three categories of Individuals with disabilities: (1) Individuals who have a physical or mental impairment that, on a permanent or temporary basis, substantially limits one or more major life activities; (2) Individuale who have a record of such impairment; and (3) individuals who are regarded as hav ing such an impairment, whether they have the impairment or not.

What is a ploatoal or mental impairment?

(1) Any physiological disorder or condition, comnetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculoskeletal, special sense organs, respiratory including speech organs, car-dio-vascular, reproductive, digestive, genito-urinary, hemic and lymphatic, akin, and endocrine; or

(2) Any mental or psychological disorder, such as mantal retardation, organic brain syndrome, emotional or mental ill-neis, and specific learning disabilities.

The term phorical or mental impairment includes, but is not limited to, such diseases and conditions as orthopedic, vis-pal, speech, and hearing impairments; cerebral palsy, epilepsy, muscule dystrophy, multiple sclerosis, cancer, heurt dieense, diabetes, mental retardation, emotional illness, drug addiction, and alcoholism.

Physical characteristics such as the color of one's eyes, hair, or skin, baldness, and left-handedness do not constitute physical impairments. Similarly, neither age nor obesity alone constitutes a physical impairment. Disadvantages due to cultural or economic factors are not covered by part 382. Moreover, the definition of "physical or mental impairment" does not include personality traits such as poor judgment or a quick temper, where these are not symptoms of a mental or psychological disorder.

What is a substantial limitation on major life activities? To qualify as a "disability" under part 382 a condition or disease must substantially limit a major life activity. Major life activities include, but are not limited to, activities such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

When does an impairment "substantially limit" a major life activity? There is no absolute standard for determining when us impairment is a substantial limitation. Some impairments obviously limit the ability of an individual to engage in a major life activity.

Example 1: A person who is deaf is substantially limited in the major life activity of hearing.

Reermple 2: A person with traumatic brain injury may be substantially limited in the major life activities of (a) car ing for himself or herself; and (b) working, because of memory deficiency, confusion, contextual difficulties,

Inability to reason appropriately. Example 3: An individual who is paraplegio may be substantially limited in the major life activity of walking.

[*41489]

Are temporary mental or physical bepairments covered by part 382? Yes.

Example: While on a skiing trip, Jane breaks her leg and is placed in a cast that keeps hor rom bending her leg and walking without the use of crutches. Jane will eventually recover the full use of her leg, bus in the meantime she is sub-stantially limited in the major lifo activity of walking. Because Jane's broken leg will sube uantially limit a major Hie sotivity for a time, Jane would be considored to have a disability covered by part 382 during that time. You would be required to provide her certain services and equipment under part 382 if requested (eg, explaning and deplaning asais-tance, connecting wheelchair assistance, seating with additional leg room in the same class of service to the extent re quired by part 382, safe stowage of her crutches in the aircraft cabin in close proximity to the passenger).. Who is a person with a "Vecord of a disability under part 3827 Part 382 protects individuals from discrimination who have a "record of" (history of) a physical or mental impairment that substantially limits a major life activity or who have been classified, or misclassified, as having such an impairment. Therefore, individuals who do not have an actual current hupairment that substantially limits a major life activity would still be protected under part 382 based upon a past diag nosis (or a misdiagnosis) of an impairment that subseantially limits a major life activity. Individuals with a history of cancer or epilepsy are examples of people with a record of impairment.

Example: Adam, a passenger who has had severe epileptic seizures in the past that rendered him unable to work, is denied transportation by airline personnel because of their concern that he may have a seimire on board the aircraft. This denial of transportation would be unlawiul if based solely on the fact that Adato has had seizures in the part, because epilepsy may be controlled by medication. Airline personnel can lawfully deny transport to Adam only if they reasona bly believe, based on the information available, that his seizure disorder poses a real safety risk to him or direct threat to other passengers.

When is a parron "regarded as" having a disability? Part 382 niso protects an individual who is "regarded as" hav ing a physical or mental impairment that substantially limits a major life activity, whether or not that person actually has an inepairmen. People can be "regarded as" disabled if: (1) Their non-linúting or slightly limiting impairments are viewed by others as substantially huiting, (2) they have no impairments but are viewed by others as having a substan-tially limiting impairment; or (3) their impairments become substantially limiting because of the attitudes of other peo-ple.

Example 1: John, an individusi with a mild heart condition controlled by anedication, is denied transportation be cause airline personnel believe thei flying will cause John to have heart problems necessitating diversion of the sirenut during flight. John is not substantially limited in any major life activity by his condition. John has informed the air car rier personnel that his heart condition is controlled by medication and that for the past five years he has flown on a

bear weekly basis without incident. Even though John does not actually have an impairment that substantially limits a major life activity, he is protected by the provisions of part 382 because he is treated as though he does. The airline personnel's rellsai to provide transportation to John must be reasonable under the facts and circumstances pruaunted. Arguably, excluding Johs from the flight was umonsonable because John had informed the sirius employse that he was taking medication and that he had flown frequently in the recent past without incident. The reasonableness of the decision de ponds on John's credibility and any additional information provided. Regardless of the rossimablnoess of the decision, the airline employen is legally required under section 382.19(d) to provide a writen explanation is Join within 10 cal ender days setting forth the specific safety or other russon(s) for exchurning fohn front the flight.

Example 2: Karen, an individual bons with a proratonoi facial disfigurement, has been refined tumsportation on the grounds that her presonce has upset several passengers who have complained to gate agrees about her appearico. Ka me's physical disfiguremma becomes sulamatially limiting only as a roanit of the uttitades of othere and she is protacted by the provisions of part 382. Refusing to provido transportation to Kares would violete section 382, 19 because you sol refuse to provide umuportation to a qualified individual with a disability, word waarett, solely because her ppranzace way offood or sumary other psengers. As in the example above, drogardless wither the decision to re has trasportation was correct, you must provide Karen with a weiman neplassation of the speelfle hasit for the refinal witalu 10 ciandar days of the incident.

How do I determine whether a person is an buludu with Frontdu an oppornady for a pr self-identity by miring how you can buat mast hiso.offer

How do i azitti a passenger with sty? Ask the passage or debility batter lettion, levet of mailarity with the lepo sad selina, and anoda in conanotte with traveling by aim.

May I ask an individual what his or her disability is? Only to determine if a passenger is entitled to a particular seating nocommodation pursuant to section 382.81. Generally, you may not make inquiries about an individual's disabil-ity or the nature or severity of the disability. However, you may ask questions about an individual's ability to perform specific air travel-related functions, such as onplaning, deplaning, walking through the airport, etc.

Example 1: You may not sak a person, "What is your disability?" You may not ask, "Do you have diabetes?"

Example 2: You may ask, "Can you walk from the gate area to your aircraft seat?" You may ask, "Are you able to transfer from the aisle chair over a fixed aisle seat armrest?" You may ask, "Can you walk from this gate to your con-necting gate?" You may ask (by writing a note if necessary), "Do you need me to notify you if I make any announce-ments over the public address speaker"

Example 3: Susan asics for a bulkhead seat bocanse the condition of her leg necessitates her need for greater leg-room. You may aak, "Are you unable to bend your leg or is your leg fused or inmobilized?" [Sec. 382.81].

What are some of the requirements of part 382 that you should be aware of? Following are some of the principal requirements of part 382. It is important to note that the requirements of part 382 listed below are not meant to be ex-haustive, Rather, it is a list of requirements governing situations that you are likely to encounter on a regular basla.

You must not discriminate against qualified individuals with a disability. [Sec. 382.11] You must not require a passenger with a disability to accept special services (including, but not limited to, pre-boarding) not requested by the passenger. [Sec. 382.11(a)(2)) Instead, you may ask a passenger with a disability if he or she would like a particular service, facility, or other accommodation. In addition, you buat not exclude a qualified individual with a disability froro or deny the individual the benefit of any air transportation or related services that are available to other passengers. (Sec. 382.11(4)(3)] For example, if you choose to provide ground transportation and overnight accommodations to passengera because of a flight cancellation, you must ensure that the ground transportation to the hotel, and the hotel itself, are ac-cessible to a passenger with a disability.

You must not refuse transportation to, a passenger solely on the basis of a disability. [Sec. 382.11(a)(1)]

You must provide transportation to an individual with a disability who has an impairment that affects his or her appearance or results in involuntary behavior except under limited circumstances specified below. You must provide transportation to such individuals with

disabilities even if the disability may offend, annoy, or inconvenience crewmem-bers or other passengers. [Sec. 382.19(b)] However, if the person's disability results in

[*41490] invohuntry behavior the would or might be inimical to the sfety of the flight, then the person may properly be refund transportation. [Sec. 382.11(e))

You shall not limit the number of listlviduals with disabilities on a permcsher light. [Sec. 382.17]

If trutaportation of a passenger with a disability would endanger the saibty of the aircraft or the health or sulinty of Its passengers or violate an FAA anfety regulation, you may refuse manaporation to the individual with a disability. [8 382.11(c))

You shall acquire a passenger with a disability to travel with a saksy assistant or to present a medical.certifi care, ascape in very limited circumstances [Secs. 382.29 and 3182.23)

You shall not wochode s passenger with a disability bom any rent in an exit or other row solely on the basis of bia er her disability except to comply with FAA safety rules. FAA safety rules establish criteria that must be met in order for a pannager to occupy a sest in the mergency ett rows. [14 CFR 121.515] If passenger with a disability meets thane FAA criteris, he or she must be allowed to sit in an emergency exit row. As with any other passenger, you must look we the indivichaal passenger with a disability and reasonably ensess whether he or she meets PAA criteria for exit-wow swing. [Sec. 382.87(4))

You must provide timely empleadog, deplaning, and connecting senistance to passengers with disabilities requesting mush assistance. As part of this duty, you must provide equipment (eg, wheelchairs, electric carts, and niale cheirs) md persmai (eg, Individuals to propel wheelchairs and alale chairs and individuals to malst passengers with disabilities in carrying and stowing their baggage). (Becs. 382.95 and 382.101)

You must allow a passenger with a diambilty to stow his or har cane or other assistive device inside the cabin of the airtreff close to his or her sost if it fits, consistent with FAA safety rules

on carry-on items. [Sec. 382.121]

You must aliow passengers to safely stow their wheelchairs or parts of wheelchairs (eg., wheels, seats, etc.) in the overhead bin or under seats, [Sec. 382.121)

You must ensure that thore is space for at least one passenger with a disability to stow a folding wheolchair in the cabis of the afreral if the aircraft has a designed sesting capacity of 100 or more seats and the aircraft was ordered after May 13, 2009, or deitvered after May 13, 2010. [Sec. 382.67]

If there is a closet or other approved stowage aren for passengers' carry-on items of sufficient size to accommodate folding, collapsible, or break-down wheelchair, the carrier must designate priority stowage space for at lenat one wheelchair in that ares. A passenger with a disability who takes advantage of the offer of the opportunity to pre-board may snow his or her wheelchair in this area with priority over other carry-on items brought onto the aircraft by other passengers and flight crew enplming at the same airport. A passenger with a disability who does not pre-board may use this space to stow his or her wheelchair on a first-come, first-served basis along with other passengers stowing their carry-co tenis, [Sec. 382.123)

You must have a copy of Part 382 available at every airport you serve. Upon request by a passenger at the airport, you must make a copy available for review. [Sec. 382.45]

You mus provide blind or visually-impaired passengers and passengers who are deaf, hard of hoaring, or deaf-blind, tuy accons to the same information given to other passengers at the airport or on the airplane. This includes, bur la mer limited to, Information concerning gate assignments, delayed flights, and safety. [Secs. 382.53 and 382.119]

You maat allow service animals to accompany passengers with disabilities in the cabin consistent with FAA amfety ngum. You must nillow the service animal to sit in close proximity to its user, as long as the service animal does pot block the aisle or other emergency evacuation route la violation of FAA safety regulations. Often this will mean that the service aminsal will sit under the anat in front of the disabled pasanuger to avoid obstructing an alale or other space. Samar service anlanals are held by their users in their arust as an adult would hold a man infiaru (limited to buflants un-der two years of age) of roughly the same size. [Sec. 382.117]

You umat make available a Complaints Resolution Official (CRO) at the airport-in person or by telephone or TTY-to addrase disability-related complaints that arise during the travel process at all times when your flights are oper sting at that airport. You must provider & CRO to a peassager oven if the passenger does not use the term "Complalats Raadion Official" or "CRO. When a passenger with a disability uses words mach as "supervisor," "numager," "boss," or "fairy export in comection with resolving a disability related Jesus, you must provides CRO. [Sec. 382.151)

You mart mot change for services that are respired by part 382. Thla menas, for emplo, you must not sak for a tip han providing wheeletour service to a passenger. You say, however, itopout a reasonable chargo for services not required

quired by part 382, Le, optional services. Examples of such optional services include medical oxygen for use on bond an aircraft or stretcher service. [Sec. 382.31]

When am I required to provide disability-related accommodations to an individual? You are required to provide such in accommodation when: (1) an individual with a disability or someone acting on his or her behalf, such as a travel companion, family member, or friend, requests an sccommodation required by part 382; or (2) you offer such a required accommodation to a passenger with a disability and he or she accepts such accommodation.

Chapter 3: Assisting Air Travelers With Disabilities Planning a Trip

A. Advance Notice.

E. information about the Aircraft.

C. Mobility Aids and Assistive Devices.

D. Service Animals.

E. Accommodations for Air Travelers who are Deaf, Hard of Hearing, or Deaf-Blind.

F. Communicable Diseases.

C. Medical Certificates: When are They Allowed?

H. Your Obligation to Provide Services and Equipment.

1. Safety Assistants.

A. Advance Notice

You cannot require passengers with disabilities to provide advance notice of their intention to travel or of their di ability except as provided below. [Sec. 382.27]

Advance Notice Only for Particular Services and Equipment

You may require up to 48 hours advance notice and one hour's advance check-in from a passenger with a disabil who wishes to receive the following services:

Transportation for a battery-powered wheelchair on an aircraft with fewer than 60 seats;

Provision by the carrier of hazardous materials packaging for the battery of a wheelchair or other assistive devic

Accommodations for 10 or more passengers with disabilities who travel as a group; and

disabilities who can use an inaccessible lavatory but need an on-board chair to do so. [Secs. 382.27(c)] Provision of an on-board wheelchair on an aircraft that does not have an accessible lavatory for passengers with

Example: While making his reservation, a passenger with a disability gave the

[41491] cevtion agent 48 hours' advance notice Unst he would need an aisle chair to access the lavatory on his uponning flight. The light is on an aircraft with more than 60 seats and it does not have an accessible lavatory. During the call, the passenger la made aware of the fact that the Invatory la inaccessible, but socplains that he can use an inacces-sible lavatory as long as as har somass to a carrier-provided siale candr. Because the passenger nas complied with the advance notice requi sensant hare, untraally this informatics would have been entered bato the passenger's reservation record (otherwise Inown as the passenger name naond (PIR)) by the carier and the request for an aisie obair would Itve been handled through that notification process. You are a new gate agent for your carrier and when this passenger approathes you if the gats aure than an hour buiore the scheduled departure time of the flight and asks about the aisle chair, you we not ows how to reply. What should you do?

To bagin, sa amitto of good customer servics, you should tell the passenger that you are not sare but you will find out for him. You should ank a colleague and, if mosssary ccatoot & CRO. When you ask yote colleagus, you are told thai oil serall with sange than 60 seats is your corrier's find maintais so in-onbin siste chair. Once you receive this in fernt you thotili narure the passenger that na aisle chair is available so he can use the inaccessible lavatory on the

Alremae Netsen for Optanel Services and Equipment

Although cartions are not required to provias the following services or equipament, if they choose to provide them, yuu naty require 48 hours advance notice and one how's advance check-in for:

Medinal oxygen for use on board the sirenal;

Cartinge of es incubator;

Hook-up for a respirator to the aircraft's electrical power supply; aud

Accommodation for a passenger who must travel on a stretcher. [Socs. 382.33(b) and (c)(1)-(3)]

If appropriate advance notice has been given and the requested service is available on that particular flight, you noust onsure that the service or equipment is provided.

Aicia a Reasonable Effort To Accommodate, Evon Without Advance Notice

In addition, even if a passenger with a diambility does not zaset the advance notice or check-in requirement, you make a masonable effort to Arnish the requsated service or equipment, provided that making such accommodation wonld not delay the flight. [Sec. 302.27(g)]

Emmaple 1: Mr. Theaman oned a battery-powered wheelchair. He travel frequently berwena Washington, DC, and New York for business. One day, he finds out that he has as important business meeting in New York and must travel up to New York thar aftomsoon. Fis has no time to provide advuce notice regarding the inansportation of his battery-powered wheelchair and arrivent the gate 45 minutes before his flight is scheduled to depare. The aircraft for the flight has fireer the GO penger sout. What should you do?

Carriers tiny require 48 Soura advance antice and ora-hour віщуce check-in for transportation of a batory powered wheelchair on a light schodnied to be vaade on au slrorati with fewer than 60 seats. Carrie sy require the ada notfos for parziales of heazardous materiais peckaging for a battery, However, elle parannuel are re maired to ninko romponible efforts to accommodste a passenger who isile to provide the roquiatis motive to the extent it would not delay the fight. Therefore, you must make a reasonable effort to ancommodate ac. Thomas as long as it would nos dadsy tas flight.

fr. Thomas is a frequent revoler da this posticul rouw and the stutally it la fessico to lond, siure, com, war unload let lettery-powered whoolchair and spillabic battery in an upriglu position [Sen, 382.127 (0)] or demah, "bar", and stars tha apillable betrury (Sec. 362.177(6) within about 20-25 minums. If this is the man, you m moda Ms. Tota, lottery powwed whenthal, nod the spiliable battery even though Nir. Thorsen did ant gravide saor notico, mee dering na would uot delay the flight.

hoample 2. Ma. We must trent with madical argon showed you da showpitre withon Wh decal cygary tights What

To begin, you should confirm that your carrier does not provide the optional service of medical ox gan for use on board a flight. If no medical oxygen service is available on your curier, you should explain this to Ms. Webster and tell her that the carrier cannot accommodate her.

As a matter of customer service, you may direct Ms. Webster to another carrier that does provide nmedical oxygen service in that market. The passenger should be aware, however, at the provision of medical oxygen involves coordi nation with the passenger's physician to determine the flow rate and the amount of oxygen needed and arranging for the delivery of the oxygen by the carrier to the point of origin of the passenger's trip. Therefore, normally, it is not possible to socommodate a passenger who needs medical oxygen on a flight unless the advance notice is provided because the sccommodation cannot be made without delaying the flight.

If Aircraft Is Substinated, Mae an Effort To Accommodate

Even if a passenger with a disability provides advance notice, sometimes weather or mechanical problems require cancellation of the flight altogether or the substitution of smother aircraft. Under these circumstances, you must, to the maximum extent feasible, assist in providing the accommodation originally requested by the passenger with a disability. [Sec. 382.27(1)]

B. Information About the Aircraft

You should be familiar with and be able to provide information about aircraft sccessibility for passengers with a disability when they request this information. [Sec. 382.41]. When feasible, you should provide information pertaining to a specific aircraft to be used for a specific flight. In general, you must take into account safety and feasibility when Seating passengers with disabilities. [Secs. 382.87]

If requested, you should be able to provide information on the following:

Any limitations concerning the ability of the aircraft to accommodate an individuni with a disability;

The location of seats, if any, in a row with a movable aisle armrest and any seats which the carrier does not make available to individuals with a disability (eg., cxit rows);

Any limitation on the availability of storage facilities in the cabin or in the cargo bay for mobility aids or other equipment commonly used by an Individual with a disability; and

Whether the aircraft has a lavatory accessible to passengers with a disability.

C. Mobility Aids and Assistive Devices

If, in assisting a passenger with a disability, a carrier employee or contractor takes spart the passenger's mobility nid or assistive device (eg., a wheelchair), another carrier employee or contractor must roussemble it and ensure its prompt return to the passenger with a disability in the same condition in which the carrier received it. [Sec. 382.129(b)) You must permit passengers with a disability to provide written instructions concerning the disassembly and reassembly their wheelchairs. (Sec. 382.129(s)) You cannot require passengers with disabilities to sign a waiver of liability for demage to or loss of wheelchairs or other assistive devices. (Sec. 382.35] However, you may note preexisting difer wheelchairs or other assistive devices.

D. Service Animals ni

ni See also Appendix VL

A service animal is (1) an animal individually twined and which performa functions to assist a person with a disabi ity; (If) en animal that has been shown to have the innate ability to

[41492] ansiet a person with a disal-lity, eg, s suizure alert naimal; or (ii) an enantional topport voimal. You shoul be strare that thore are many different typse of service anisais dat perform a neogs of taules for Individuale viith adisability.

Sovica Antmel Peresined To Accompany Fersenger on Flight and ot Seat Assignment

You can peruit dogs and othes service anivunts und by passengers with a disability to accompany the passenge on ther flights. In schion, you must permit a dog or other service animal to accompany a passenger with a disability to the perenger's narinod rest and raasia there so long as the stunt dons not of strict the airle or other areas that you st renni umebatructed for asisty ressons. [Sec. 382. 117] The servics salmal noust be allowed to accompany the passer ger unlere & pears a direct threat to the health er sality of eders or presunta a sippsinicest thesst of alarmption to the airline servic in the cabin, See alze Appendix VI, DOT Guldsace Conceming Servi Anionis in Air Transportation; FAA Plight Standerde Information Buliotin for Air Transporation (SAT) #04-01A, "Location and Pinceraset of Service Animis on Abrera Bagaged in Public Air Transportation" p://www.faa.gov/www/op/feastfeatlan

If Service Animal Comot Be Accommodated at Assigned Soot

If a servios moinel connot be sccommodated at the neas of the passenger with a disability and if there is another sont in the same clast of service where the pastonger nad the naimal can be accorreodated, you munt offer the passenge the opparmanity to move to the other esot with the ser/tes animal Switching seats in the same class of servion must be ex-plored as an altanniive befure requiring that the torvico animal travel in the cargo compertment. [Sec. 382.117(c)]

Verification of Servion Antenule

Kinder particular elreunastasons, you may sec a need to verify whether an animal accompanying a passenger with a dinsbility qurlifies as a service antakıl under the law. You must accept the following as evidence that the acireal is in-deed a service animal:

The credible vubal assurances of a passenger with a disability using the animal,

The presence of brains or merkinga on husraces,

Tag, or

Identification cauds or other written documentation. [Soc. 382.117(d)]

Keep in mind that passengers accompaulerd by service animals may not have identification or written documenta tion regarding their service animals. See also Appendix VI, DOT Guidance Concerning Servios Antasais in Air Trans percarica

Carriers may require tlum pessengan wavelling with emotional support animola presa correct doevatulation (La, dated within a yuer of the date of trevel) from a vantai-health profensional stezing that:

The passenger har montal health-mleted disability;

The passenger vends the sunlurel for the mental health condition; wod

The provider of the letter is a ticsasori nueaud-helda professional (or a medical doctor) and thes paanonger is toder the individual's professional care.

Even if you receive neoficina verification fost on unknad accomptaying a passenger is indiods service animal, if the service animal'e behavior in a public setting is inappropriate or disruptive to other passagers or carrier persamel, γου εισγ πατους το ρονικές ére naitaal on the fight and offse the passenger alternative coconizuodations la accordance with part 30 and your anrier's polley (eg., accept the mireal for carriage in the origo bold).

Exataplo 1: A puranger srives at the gate seccampanied by a poi-batlled pig. She olutnos thai Uss pot-bellied pig in her service malonat. What should you do?

"NOTE: Under the road Fert 582, Konaga carrises are only rended to weap dogservice nalaisis

Wille generally sperking, you man powita paansager with a dashility to be sccompanied by a servlos animal, if you have a messabte baris for questioning whether to animad la a sorrico snil, you any al for some verifiuntion. Unally on weitere verification is inquirod.

You may begin by saking questions about the service animal, g., "What tasks or functions does your animal per. theren for you?" or "What hiss suaning been you are not satisfied with the credibility of the answers to these ques. tions or if the service anthal is an emotional support animal, you may request further verification.

You should also call a CRO if there is any further doubt in your mind as to whether the pot-bellied pig la the pas senger's service animal.

Finally if you determine that the pot-bellied pig is a service animal, you must pe mit the service animal to accom-pany the passenger to her seat as long as the animal doesn't obstruct the aisle or prese it any safety issues and the animal is behaving appropriately in a public setting.

the Example 2: A deaf passenger is planning to board the plane with his service animal. The service animal is a hearing dog and is small enough to sit on the deaf passenger's lap. While waiting to board the flight, the hearing dog jumps off passenger's lup and begins barking and nipping at other passengers in the waiting area. What should you do?

Since you have already made the determination that the hearing dog is a service aimal and may accompany the doaf passenger on the flight, you may reconsider the decision if the dog is behaving in a manner that seems disruptive and infringes on the safety of other passengers. You should carefully observe the howing dog's behavior and explain it in detail to & CRO (if the CRO is on the telephone). If, after careful consideration of all the facts presented, the CRO decides not to treat the dog as a service animal, you should sxplain your carrier's policy regarding traveling with ani-mals that are not being allowed in the passenger cabin as service animals.

Requests for Seat Assigruments by a Passenger Accompanied by a Service Animal

For a disabled passenger traveling with a service animal, you must provide, as the passenger with a disability re-quests, either a bulkhead seat or a seat other than a bulkhead sent. [Sec. 382.81(c)]

If carriers provide special information concerning the transportation of animals outside the continental United States to any passengers, you must provide such information to all passengers with a disability traveling with a service animal on the flights. [Sec. 382.117(b))

E. Accommodations for Air Travelers Who Are Deaf, Hard of Hearing, or Denf-Blind

If your carrier makes available a telephone reservation and information service to the public, you must make avail-able a text zalephone (TTY) to permit individuals who are deaf or hard of hearing to make reservations and obtain in-formation. The TTY must be available during the same hours as the telephone servico for the general public and the same walt time and surcharges must apply to the TTY as the telephone service for the general public. [Sec. 382.43]

F. Communicable Diseases

Passengers With a Communicable Disease Are Permitted on Flight

Except as described below, you must not (1) refuse transportation to; (i) require provision of a medical certificate from; or (iii) impose any condition, restriction, or requirement not imposed on other passengers on, a passenger with a communicable disease or lnfection. [Sec. 382.21]

If Direct Threat to Health or Sofery of Others, Limitations May Be Imporad

Only If a passenger with a communicable disease or infection poses a direct threat to the health or

[41493] safsty of others, can you take any of the actions listed above. [Sec. 382.21] A direct throat means a sig nificant risk to the health or safety of others that cannot be elimbated by a modification of policies, practices, or proce-dures, or by the provision of auxiliary aids or services,

If you are faced with particular circumstances where you are required to make a determination as to whether a pas-senger with a communicable disease or infection poses a direct threat to the health or safety of others, you must make an individualized sapessment based on a reasonable judgment, relying on current medical knowledge or the best available objective exiderice. If the presentation of a medical certificate would alleviate concerns over the passenger's condition, or reasonable modification of policies, practices, or procadures would lessen the risk to other passengers, then you should consider this in making such an individualized assessment. You should also confer with appropriate medical personnel and a CRO when making this assessmerit.

If the Passenger Posez a Direct Threat to the Health and Safety of Others

If, in your estimation, a passenger with a communicable disease or infection poses a direct threat to the health or safety of other passengers, you may (i) refuse to provide transportation to that person; (ii) require that person to provide medical certificate stating that the disease at its current stage would not be transmittable during the normal course of a flight or, if applicable, describing measures that would prevent transmission during the flight [Sec. 382.21(c)]; or (iii) impose on that passenger a special condition or restriction (eg., wearing a mask). You must choose the least restrictive of the three options set forth above that would accomplish the objective. [Sec. 382.21(0)]

At all times, as a matter of good customer service, you should treat the passenger with

courtesy and respect.

G. Medical Certificates: When Are They Allowed?

A medical certificate is a written statement from the passenger's physician saying that the passenger is capable of completing the flight safely without requiring axtraordinary medical assistance during the flight. Except under the cir cumstances described below, you must not require medical certification of a passenger with a disability as a condition for providing transportation.

You may require a medical certificate only if the passenger with a disability is an individual who:

Is traveling on a stretcher or in an incubator (where such service is offered);

Neede medical oxygen during the flight (where such service is offered); or

Has a medical condition that causes the carrier to have reasonable doubt that the passenger can complete.the light safely without requiring extraordhary medical assistance during the flight. [Sec. 382.23 (a)]

Medical Certificate and a Passenger With a Comanaricable Disease or Infection

In addition, if you determine that a passenger with a communicable disease or infection poses a direct threat to the health or safety riak of others, you may require a medical certificate from the passenger. [Sec. 382.23(c)(1)] The medi-cal certificate must be dated within 10 days of the fligist date. [Sec. 382.23(c)(2)]

In the event that you determine the need for a medical certificate, you should indieste to the passenger with a dis-ability the reason for the request. You should base your request on the reasons set forth under the law and outlined above.

At all times, you should treat the passenger t'om whom you are requesting a medical certificate with courtesy and respect

Example: A passcoger arrives at the gate with her six year old daughter. The girl's face and arms are covered with red losiona, resembling chicken pox. What should you do?

Generally, you must not refuse navel to, require a zmedical certificate from, or impose special conditions on a pas-senger with a comraunicable disease or infection. However, if a passenger appears to have a communicable disease or infection that poses a direct threat to the health or safety of other passengers, you may be required to make a detorraina-tion about the best course of action based on the seriousness of the health risk and the ease of disease tromsnittal. For a communicable disease or infection to posa a direct threat, the condition mast both be readily transonitted under condi-tions of flight and have serious health consequences (a.g., SARE). Medical conditions that are easily transanitted in air-craft cabins but have limited health consequences (eg, a common cold) as well as conditions that are difficult to trans-

mit in aircraft cabins but have serious health consequences (eg., AIDS) do not pose a direct threat to the health or safety of passengers.

The first thing you should do is interview the passenger and her mother to obtain basic information about the girl's tion about the nature of the child beondition that will impact decisions about transportation, you should contact a CRO ondition. This exchange should be done discreetly and in a courteous and respectful manner. If you still have a ques and explain the situation.

Here, the mother tells you and the CRO that the child has chicken pox but is no longer contagious. The CRO would likely consult with appropriate medical personnel to verify whether the child could be contagious based on the mother's statement.

you must choose the least restrictive alternative among the following options: (1) Refusing transportation to the individ-If there is a reasonable basis for belleving that the passenger

poses a direct threat to the health or safety of others, sal; (ii) requiring a medical certificate; or (ili) imposing a special condition or limitation on the individual. If the medi cal support people indicate that there is a chance that the child is no longer contagious but only if a certain number of days have passed since the outbreak of the lesions, you could request a medical cortificate before you permit the child to travel.

Having discussed the situation with the passenger and her mother and consulted the CRO and the medical support personnal, the request for a medical certificate appears to be reasonable under the circumstances and the least restrictive of the three options.

Keep in mind that section 382.23(c)(2) specifies that the medical certificate be from the child's physician and state that the child's chicken pox would not be cominunicable to other passengers on the flight. The medical certificate must also include any conditions or precautions that would have to be observed to prevent the transmission of the chicken pox to other passengers and be dated within ten days of the date of the flight. If the medical certificate is incomplete or if the passenger is attempting to travel before the date specified in the medical certificate or without implementing the conditions outlined to prevent transmission, the child would not be permitted to fly.

H. Your Obligation To Provide Services and Equipment

When assistance getting on or off a plane, making flight connections, or receiving transportation between gates is requested by a passenger with a disability, or offered by carrier personnel and accepted by the passenger, you must pro vide it. (Secs. 382.91-105] More specifically, you must provide, as needed, the following:

Services personnel,

Ground wheelchairs,

Boarding wheelchairs,

Ramps or mechanical lifts. [Sec. 382.95(a))

Aircraft with more than 60 passenger seats having an accessible lavatory must be equipped with an operable on board wheelchair. [Sec. 382.65(4)] On-board wheelchairs must be equipped with footrests, armrests which are movable br removable, adequate cocupuut restraint systers, a backreat beight that permits assistance to passengers in transfer ring,

[*41494] structurally sound handles for maneuvering the occupied chair, and whsel locks or another adequate means to prevent chair movement during transfer or turbulence. The on-board wheelchair must be designed to be com-patible with the maneuvering space, aisle width, and seat height of the aircraft on which it is to be used, and to easily be pushed, pulled, and turned in the cabin environmment [Sec. 382.65(c)]

You must permit a passenger with a disability to provide written instructions and should accept oral advice from the passenger concoming the disassembly and reassembly of the passenger's wheelchair. [Sec. 382.129] In addition, you should be familiar with how (1) a passenger accesse and uses a particular service or piece of equipment; (ii) the passen-ger's noods are being met by the service or piece of equipment; and (iii) that service should be provided or bow that equipment operates, is disassembled, stored properly, and reassembled. Finally, consiste at with good customer service, you should treat the passenger with a disability with courtasy and respect at all times by keeping the passenger informed about any problems or delays in providing persoanei or equipment in connection with an accommodation.

Example: passenger using a battery-powered wheelchair arrives at the gate and requests that the footrests and joy stick be removed and stowed. He exprosses concere because after his last flight, the airline personnel initially misplaced one of the components of the wheelchair when they disassembled it and stored it during the flight. What should you do?

Presuming the aircraft is the type that can accommodate the storage of a battery-powered wheelchair, you are re-quired to stow his wheelchair property on board and you may, if needed, provide an aisle chair. As a preliminary matter, you should receive training from your carrier on the use of equipment and services for passengers with a disability, in-chiding battery-powered wheelchairs. In addition to the formai training, it is worthwhile to review with the passenger how best to meet his needs. For example, you should ask the passenger to review the procedure for disassembling the wheslohair, storing parts during the flight, and reassembling the wheelchair. Once you are clear about the process, you should communicate

with the appropriate employees to ensure that they understand the passenger's needs with respect to his battery-powered wheelchair. Your carrier should have a policy and process for ensuring that the battery-powered wheelchair is returned to the passenger at his destination in the same condition in which it was received by the carrier. Problems concerning the reassembly of expensive battery-powered wheelchairs can be minimized by following section 382.127, which governs the proper storage of such wheelchairs, Soe also Chapter 5, Section D.

1. Safety Assistants

Except under limited circumstances, you canmoi requiro s person with a disability to be accompanied by a safety as-aistant. [Sec. 382.29] See Chapter 4, Section E for a discussion of the requireruents for an attendant under the law.

Chapter 4: Assisting Air Travelers With Disabilities at the Airport

A. Accessibility of Terminal Facilities and Services

B. Security Screening for Air Travelers With a Disability

C. Alr Travelers With a Disability Changing Planes

D. Accommodations for Air Travelen Who are Deal, Hard of Hearing, or Deaf-Bled

E. Safety Assistant

A. Accessibility of Terminal Facilities and Survices (

ch-2

All terminal facilities and services owned, leared, or operated by a carrier at a U.S. sirport, including parting and gremand transportation, must comply with the Standards for Accessible Design under the Americans with Disabilities Art. [Sec. 382.51)) These terminal fbcilities and services must be accessible to and usable by individuais with disabili ties, including individuals who use wheelchairs. (Sec. 382.51(a)(1)] For example, tornainals umut provide accessible inter-torninal transportation systems, eg., shortle vehicisa and poople movers [Soc. 382.51(8)(3)]

As appropriate to your specific responsibilities and duties when dealing with the waveling pobile and consistent with all carrimy' obligation to ensure training to proficiency [Sec. 382.1411, you should understand how these services and facilities function as well as their usce by passengers with a disability. You should also know where they are located within or without the terminal

Carriers man also ensure that there is an accessible path between the gate and the area from which aircraft are bourind. [Sec. 382.51(a)(2)]

Carriers shall not (1) restrict the movements of individuals with disabilities in terminals, (ii) require them to remain In a holding sree or other locstion in order to receive assistance; or (lil) mandate separate treatment for individuals with disshilities except as required or permitted under Part 182. [Sec. 382.33]

B. Stenrity Screening for Air Travelers With a Disability al

ni In the wake of the events of September 11, 2001, in most cases, TSA has taken over for carriers in the area of providing security screenings of passengers. Should carriers resume this responsibility or in cases where carriers still retain some involvement in the security soroening process, this section would be applicable to carriers and contractors of carriers performing this function.

Security Screening for Passenger With a Disability Scine at for Other Passengers

You must undertake a security screening of a passonger with a disability in the same mimner as any other passen-ger. You must not subject a passenger with a disability who possesses an aid used for independent travel to a special screening procedure if the passenger and the aid or assistive device clear security without activating the security system. [Sec. 382.55]

Screaming Mobility Ald or Assistive Device

The statement of the law set forth above would not, however, prohibit you from examining a mobility aid or assis-tive device if, in your Judgment, it may conceal a weapon or other prohibited item even if the mobility ald or assistive device does not activate the security system.

In the event a passenger's mobility nid or assiative device activates the security system, you must conduct the secu-rity search of the passenger with a disability in the same manner as you would for other passengers who activate the system.

Passenger With a Disabliny Requestz Private Screening

You must not require a private security screening for a passenger with a disability for any reason different from the russons other passengers would be subject to a private security screening. However, if a passenger with a disability re-quests a private security screening in a timely manner, you must provide it in time for the passenger to board the flight. [Sec. 382. 55(c)] If, however, you are able to conduct a security screening of a passenger with a disability without the need for a physical search of the person, you are not required to provide a private screening. [Sec. 382.55(d)]

Finally, under certain circumstances, safety considerations may require you to exercise discretion in making the above declaloma. You must always seek assistance from the appropriate designated personnel in making such a decision.

[*41495]

C. Air Travelers With a Disability Changlag Planes

As an employce of the delivering carrier, on request, you must provide assistance to a passenger with a disability in making flight connections and providing uansportation between gates. [Sec. 382.91(4)] This is the case regardless whether the delivoring carrier has an interline agreement with the other carrier. Where needed and to the extant required by law, you must provide secvices personnel, wheelchairs, and rampa or mechanical lifts. [Sec. 382.95] Note: Carriers mast not leave a passenger with a disability unattended in a ground wheelchair or other device in which the passenger is net independently mobile for more than 30 minutes. (Sec. 382.103]

Example: A passenger who developed a progressive onset of weakness in his legs during his filght requests a wheelchair when he deplanes to assist hien le making it over to the gate of his connecting flight. What should you do?

Because the delivering carrier has an obligation to provide transportation to a passenger with a disability to the gate of his connecting flight, you mest provide timely, accessible ground treusportation so he makes it to his connecting flight. In addition, you should keep in mind that once the wheelclmir am vice is provided, you cannot leave the passenger unattended for more than 30 minutes if he is not independently mobile. As a mattor of good customer service, you should treat the passenger with courtesy and respect throughout this process.

D. Accommodations for Air Travelers Who Are Deaf, Hard of Heaving, or Deaf-Blind

Carriers are responsible for ensuring that passengers with disabilities, including those witch vision or hearing in-pairments, receive the same information in a timely manner that the carfer provides to other passengers in the terminal or on the aircraft, including but not limited to, Information about ticketing, flight delays, schedule changes, connections, flight check-in, gate assignments and the checking and claiming of luggage. [Sec. 382.119] Passengers with disabilities whe'are unable to obtain such information from the audio or visual system used by carriers in airports or on aircraft must request such information to be provided in an accossible manner.

You must make available a TTY to permit individuala who are deaf or hard of hearing to obtain information from carriers. See also Chapter 3, Section E. The TTY must be available during the

same hours as the telephone service for the general public and the same wait time and surcharges must apply to the TTY as the telephone service for die general public. [Secs. 382.43)] The TTY must also be available if the passenger who is deaf or hard of hearing wishes to contact CRO. [Sec. 382.153] In addition, you should inform the individual about the DOT Hotline that is accessible by a TTY. You should be familiar with the use of the TTY and its location(s) within the terminal.

in södition, you should be aware of the option of using a relay operator to connect one party who is using a TTY and one party who is asing a voice-operated telephono. By dialing 711 on any telephone (TTY or voice operated) you can contact a relay operator who servos as a "go between" between a person using a TTY and a person using a voice-opensted telephone.

Example: A passenger who is deaf complains to you about another employee whom she believen has been rude and humiliated her when she asked for an alternate means of communication because sho was unable to hear what was being said to passengers waiting to board the flight. What should you do?

Ass mutter of good customer service, you should spologize to the passenger for any insensitive behavior on the part of carrier porsonnel. In general, you should carefully observe and gauge the manoe in vehich this passenger who is deaf communicates. When communicating, try to use the same method, e.g., speaking slowly, communicating in writing or with the assistance of an aid or device, etc. Try to find out what happened and what information she miased by com-suniosting in an eccessible manner.

You may also consult with a CRO to see about aigu Ianguage or other assimive services that might be available for this passenger. If the CRO is made available by telephone and the passenger requests, TTY service must be available for the passenger to communicate directly with the CRO. You should also aotify the appropriate flight crow regarding en-mring that the transmittal of information onboard is accessible to this passenger.

You should know that it is generaly not sppropriate to require a passenger with a disability to be avatory or the by safety assistant sow that it is not to a passenger's ability to access the or

the ponger's net Sec. 382.29(a) Even if you have con airline personnel are not obligated to provide, equire the pus in enting, asistance for extensive special assistance which aron services [Sec. 382.29(1), you must not require the pas senger with a disability, die levatory of prey satis except in the circumstances described below.

Sajaty Considerations May Necessitate Safety Assistant

In the interests of safety, however, you may require that a passenger with a disability travel with an attendant as a caedition of receiving sir transportation if the passenger is:

Traveling on a stretcher or in an incubator (whore such service is offere 1);

Mentally disabled and unable to comprehend or respond appropriately to safety instructions;

Severely impaired with respect to nobility and would be unable to atsier in the passenger's own evacuation from the aircnift; or

Deaf and severely impaired with respect to vision such that the passenger could not adequately communicate with afrine employees to permit transmission of the safety briefing. [Sec. 382.29(b)(4)]

If Carrier Contends That Attendant Is Required for Safety Reasons and Passenger Disagrees

If, after careful consultation with a CRO and any other personnel required to be consulted by the carrier, you de tornine that a passenger with a disability must travel with a safety assistant for one of the reasons described in Section 382.29(b) (see above), then the carrier may require that the passenger be accompanied by a safety assistant. If your de cision is contrary to the self-assessment of the passenger with a disability, then the carrier must not charge for the trans-portation of the safety assistant. [Sec. 382.29(c)(1)] In addition, if no seat is available on the flight for the safety sasis-tant whom the carrier has determined to be necessary and as a result the passenger with a disability with a confirmed reservation is unable to travel on the flight, the passenger with a disability is eligible for denied boarding compensation. [Sec. 382.29(d)] For purposes of determining whether a seat is available for a safety assistant, the

safety assistant must be deemed to have chocked in at the same time as the passenger with a disability. [Sec. 382.29(c)]

In the event you choose to recrult a safety assistant to accompany the passenger with a disability, even though car-riers are not obligated to do so, you may asic (1) an off-duty airline employee traveling on the same flight to function as the attendant; (ii) a volunteer from among the other customers traveling on the flight and offer a free ticket for their as sistance; or (iii) the passenger with a disability to choose an attendant and offer a free ticket.

If the safety assistant is accompanying a passenger traveling on a stretcher or in

[41496] an inenbator, the safety assistant raust be capable of attending to the passenger's in-flight medical needs. [Sec. 382.29(b)(1)] Otherwise, the purpose of the anfoty assistant is to assist the passenger with a disability in an emer gency evacuation. Other than the simation set forth above when a safety assistant is accompanying a passanger who is on a stretcher or in on lacubator, the safety assistunt is not obligated to provide personal services to the passenger with a disability such as assistance with eating or accessing the Invatory.

Example: A passenger with quadriplegia uaveling alone approaches the check-in counter. You have concerns as to whether the passenger's mobility impairment is so seven that he would be unable to assist in his own evacuation from the aircraft. What should you do?

You should begin by commamienting with the passenger to deternaise the extent of his mobility impairment. As a matter of good custorger servios, you should treat the pessenger with courtory sad respect at all times. Under the cir-cumstances, you should contact CRO to dinosuse the sit sation and determine whether the passenger must be accompa nied by an attendant. You and the CRO could begin by making the passenger about his mobility impairment and whether he would be able to assist with his own ovacuation in the event of an smergency, More spectically, you should deter mine whether the passenger has the functional ability to male aty progress toward an exit during as evacuation. If the passenger tells you that his ability to aasist in his evacuation is frabeed to shouting "Heip!", you and the CRO should explain to him that the blue is whether he can physically assist in his own evacuation. If not, he mut travel with a safe-ty assistant.

IL, after spesking with the passenger, you and the CRO determine that he must be accompanied by a safety assistant because of his sovme mobility impairment, you abould explain this requirement to the passenger. Next, you should ex-plain that he can choose someone to serve as his safety assistant or you can assist him by recruiting an off-chuty em-ployee or another pessenger on the flight to surve as his safety assistant. You must not charge for the transportation of the safety assistant. You should also explain tlust the purpose of the safety asaistarit is to assist in the case of an emer-gency evacuation.

Chapter 5: Assisting Air Travelers With Disabilities Boardlug, Deplasing, and During the Flight

A. Aircraft Accessibility

B. Seating Assigumeats and Accommodations

C. Boarding and Deplaning Assistance

D. Stowing and Treatment of Personal Equipment

E. Services in the Cabin

F. Safety Briefings

A. Aircraft Accessibility

In order to assist passengers with a disability, it is important for you to have some understanding of bow aircraft lave been made accessible to accorumodate those passengers. The following features are required for aircraft ordered by the carrier after May 13, 2009, or delivered to the carrier after May 13, 2010. In addition, different size sirplanes muat be equipped with different fiestares according to the law. For example:

Aircraft with 30 or more passenger seats must have movable aiale armrests on at least half of the aisle seats where it does not interfere with safety. [Sec. 382.61(4))

Aircraft with 100 or more passenger seats most have priority storage space within the cabin to stow at least one passenger's folding wheelchair [Sec. 382.67] and DOT bas interpreted that to mean a space nt loant 13 aches wide, 36 inches high, and 42 inches long,

Aircraft with more than one aisle in which lavatories are provided roust inlude at least one lavatory accessible to pavongers with a disability accessing the lavatory with an on-board wheelchair [Sec. 382.63];

Aircraft with more than 60 passenger seats having an acccesible lavatory must be equipped with an on-board whoochair [Sec. 382.65]; and

wheelchair when a pas anger with a disability informs the curier (providing advance notice under Sec. 382.27) that the Aircraft with more than 60 passenger seats having an inaccessible lavatory must be equipped with an on-board passenger can use in it accessible lavatory but cannot reach the lavatory from a seat without the use of an on-board wheelchair . [Sec. 382.65(b)]

Aircraft in service on May 13, 2009, are not required to be retrofitted for the sole purpose of anhancing accessibil. of the age of the aircret, carriers must provide on-board wheelchairs if (i) the aircraft has an accessible lavatory; or (ii) ity. However, with respect to all aircraft with more than 60 passenger seats operated under 14 CFR part 121, regardl a passenger with a disability gives up to 48 hours' notice that the passenger can use an inaccessible lavatory. [Sec. forth above undergoes replacement of (1) cabin interior elements or lavatories, or (ii) existing seats with newly-382.65(b)] Whenever an aircraft operating under 14 CFR part 121 which does not have the accessibility features set manufactured seats (Le, previously unused), the carrier must comply with the accessibility features set forth above with respect to the feature being replaced.

Where Part 382 requires a particular aircraft to have an on-board wheelchair and a stowage space within the cabin for at least one passenger's folding wheelchair, that aircraft must have stowage spaces for both of these chairs and must accommodate both of these chairs as

required by law. [Secs. 382.65 and 382.67]

specified under the inv. [Serinthiain aircraft accessibility features in proper working order. Any replacement or refurbishing of the aircraft cabin must not reduce existing accessibility to a level below that [Sec. 382.71]

#B. Seating Assignments and Accommodations

Only Safety Affects Sect Assignments

You must not exclude a passenger with a disability from any seat in an exit row or other location or require a pas-senger with a disability to sit in a particular seat based on the passenger's disability, except to comply with FAA safety requirements. [Sec. 382.87(a)) If a passenger's disability results in involuntary behavior that would result in refusal of transportation under section 382.19 and the safety problem could be addressed by seating the passenger in a particular location, you must offer the passenger that particular seat location as an alternative to refusing transportation.

Example: A passenger with Tourette's syndrome-a neurological disability that manifests itself by episodes of shak-ing, muscle tics, and/or spasms and uncontrolled shouting, barking, screaming, cursing, and/or abusive language-approaches the check-in desk, self-identifies as a passenger with a disability, and presents brochures explaining the dis-ability to the agent. What should you do?

As long as safety is not an issue, you cannot restrict this passenger from any particular seat, including an exit row. If this pessenger's disability causes him to physically touch other passengers or flight crew involuntarily, safety consid-erations could require that he be seated in his own row, if available, as an alternative to being refused transportation. However, if the physical and/or verbal manifestations of this passenger's Tourette's syndrome are such that the safety of others would be jeopardized, a. g., if the passenger with Tourette's syndrome involuntarily touches or strikes other pas-sengers or flight crew, it might create a safety concern. Therefore, refusing transportation could be appropriate.

Otherwise, although the passenger's conduct may create an uncomfortable experience for

other passengers, if his involuntary bahavior only amounts to an annoyance and not a safety concern, you

[*41497] must not restrict the passenger with Tourette's syndrome from any seating assigament.

Four Specifle Situations in Which a Seating Accommodation Must Be Provided

If a passenger self-identifies as an individual with a disability, there are four specific situations where you must provide a particular seating accommodation, if requested. The four situations are as follows:

If the passenger uses an aisle chair to access the aircraft and cannot readily transfer over a fixed aisle armrest, you must provide a seat in a row with a movable armrest if one exists [Sec. 382.81(a)];

If the passengers a passenger who is travelling with a safety assistant who will be performing functions during the (light that airline personnel sre not required to perform, e.g., assistance with eating [Sec. 382.81(b)(1)]; (ii) is a pas-sengar with a visual impairment who is beveling with a render/assistant whe will be performing functions for the pas-senger during the flight [Sec. 382.91(b)()); (I) is a passenger who is deaf, hard of hearing, or deaf-blind who is trav-eling with an interpreter who will be pertorming functions for the passenger during the flight [Sec. 382.81(b)(3)]; or you require a passenger to travel with a safely assistant [Sec. 382.81(b)(4)] you must provide a seat for the care attendant next to the passenger with a disability;

If the passenger is necompanied by a service animal, you must provide a bulkhead seat if one exists or a seat other than a bulkhead seat, depending on the passenger's roqunst [Sec. 382.81(c)]; or

If the passenger has a fused or immobilized leg, you must provide a bulkhead seat if one exists on other seat with more legroom than other seats on the side of the aisle that best sccommodetes the passenger. [Sec. 382.81(d)]

Regardless of which type of system curier uses for handling its sont assignments, you must provide the required seating sccommodation in the four specific situations described above, if requested. The type of seat assignment system will determine how a carrier fulfills its obligation to provide these seating assignments. You should be aware of your carrier's method for managing seat assignments and be able to explain it to passengers with disabilities and the general passenger population depending on the circumstances.

Advance Seat Assignments

Carriers providing advance sest assignments tasy employ either the seat "blocking" method or the "priority" seating method.

Seat "Blocking" Method

Carriers may "block" an adequate number of seats to provide the seating accommodations discussed above. If carri-ers amploy this "block" method, they must not assign these "blocked" seats to passengers other than the types of pas-sengers entitled to a seating accommodation discussed above until 24 hours before the scheduled departure of the flight. At any tirue up to 24 hours before the flight, carriers using the "block" system must assign a "blockod" seat to any pas-senger in need of a particular seating accommodation outlined in the four situations above.

If a passenger with a disability meeting the above requirementa does not make a request for a seating accommoda-tion at least 24 hours before the scheduled departure of the flight, a carrier using the "block" system must provide the requested seating accommodation to the extent practicable, but is not required to reassign a seat assigned to another passenger in order to do so. [Sec. 362.83(a)(1)]

Exaniple: A passenger with a service aninial calls you, a reservation agent, several days before the scheduled depar-ture of her flight and requests a bulkhead seat. What should you do?

The aircraft has four bulkhead seats, two of which are "blocked" under your carrier's

reservation system for passen-gemm traveling with a service animal or passengers with an immobilized leg. Since the passenger has requested the seat-ing accommodation more than 24 hours in advance of the scheduled departure of the flight, you must assign one of the "blocked" bulkhead seats to this passenger with the service animal.

If, on the other hand, the passenger with the service animal requests the bulkhead seat within 24 hours of the sched-uled departure of her flight, you must provide the bulkhead seat to her and her service animal to the extent practicable, but you are not required to ronssiga a seat already assigned to another passenger in order to do so.

" Priority" Seating Method

or accommodation in ride of th Carriers may designate an adequate number of "priority" seats for passengers with a disability who meet the above requirements and who request a seating accommodation. In this case, the carrier must provide notice to any passenger four situations discussed adoh that are subject to being reassigned to another seat if necessary to provide a seating accomodation required under that they are subject to being this notice through its computer reservation system, ourbal information provided by reservatione personal counter signs, seat cards or notices, frequent-flyer literature, other appropriate means. [Sec. 382.83(a)(2)) The carrier must provide a "priority" seat to a passenger with a disability scheduled departure of the flight. If all of the designated "priority" seats have been assigned to other passengers who do not have disabilities, the carlicht of the outs of the other passengers to accommodate the passenger with a disability entitled to a seating accommodation as discussed above. [Sec. 382.83(a)(2)(iii)] entitled to such accommodation if the passenger requests the accommodation and checks in at least one hour before the

If a passenger with a disability does not check in at least one hour before the scheduled departure of the flight, a carrier using the "priority" senting system must provide the requested seating sccommodation, to the extent practicable, but is not required to reassign a seat assigned to another passenger in order to do so. [Sec. 382.83(a)(iv)]

Example: A passenger with an immobilized leg requests a bulkhead seat and checks in two hours before the sched-uled departure of the flight. Your carrier employs the "priority" sesting method and has designated all four bulkhead seats on the aircraft as "priority" seating. Three of the bulkhead seats have already been assigned to three passengers traveling with small

service animals who have requested the seating accommodations and checked in at least an hour before the scheduled departure of the flight. The fourth "priority" bulkhead seat has been assigned to a passenger who also checked in two hours before the flight and uses an aisle chair to enplane who prefers the bulkhead seat to a seat ina row with a movable armrest. What should you do?

The passenger who uses the aisle chair to enplane should have received notice that she has been assigned a "prior-ity" seat. Because she is not a passenger with an immobilized leg or a passenger traveling with a service animal, she is not automatically entitled to a "priority" bulkhead seat. (However, she would be entitled to a "priority" seat in a row with a movable armrest if she requested one and checked in at least an hour before the scheduled departure of the if a passenger with a service animal or a passenger with an immobilized leg requests a "priority" bulkhead seating ac flight.) The passenger using the aisle chair to enplane should have been notified that you might have to reassign her sent Accordingly, the using the aisle chair would be reassigned to a seat in a row with a movable armrest and the passenger with the immobi-lized leg would be assigned to the fourth "priority" bulkhead seat.

[*41498]

Seating Accommodations for Passengers With a Dizability Other Than One of the Four Types Liste Ahove

Passengers with a disability-other than the types of passengers with a disability entitled to a seating accommoda-tion in one of the four specific sitantious discussed above-may ideatify themselves as passengers with a disability and request a seating nocommodation. [Sec. 382.85]

In this case, a carrier raploying the "block" method is not required to offer one of the "blocked" seats when the passenger with a disability makes a reservation more than 24 hours bofore the scheduled departure time of the flight. However, the carrier muss assign the passenger with a disability any seat not already assigned to mother passenger that soocmmodates the passenger's needs, even if that soat is not available for nsaignment to the general passenger popula-tion at the tims of the request. [Seos. 382.83(n)(1)(1) and (i)]

Bample: A pastenger with arthritis to his spino making his back extrematy stuff cells a week before his flight and asks you, the reservation egent, for a bulkhead sest. He explains that it is much easier for him to acosas a bulkhead sear because he has to be lowered into the seat with assistance from another person. The afrcraft has six bulkhead seats, two of which are "blooked" under your carrier's reservation system for passengers traveling with service animals or passen-gems with lesmobiliand legs. One of the four remaining bulkhead seats is unassigned when he calls. Witat should you do?

Although your carcies normally reserves such seats for its frequent flior passengers, you must assign the remaining bulidinad sent to the passenger with arthritis in his spine. In a similar situation, a carrier using the "priority" seating me thod mast assign the pumenger with a disability any seat not already assigned to another passenger that accommodatas the passenger's needs, even if that seat is not available for assignment to the general passenger population at the time of the request. If this passenger with a disability is assigned to a "priority" bulkhead sont, he/she is subject to being reas signed to another seat if necessary to provide a seating sccommodation to a passenger with a disability entitled to a seat-ing sccommodation required under the law, as discussed above. [Sec. 382.85(a)(2)(1) and (ii)]

Example: Suppose the same passenger, with arthritis in his spine, in Example 1 above, calls your carrier, asking for bulkhead seat, but your carrier unes the "priority" sesting method. The aircraft has six bulkhead seats, two of which are "priority" seats for passengers traveling with service animals or passengers with immobilized legs. At the time of the call, all four of the other "non-priority" bulkhead seats have been assigned to other passengers, but the two "priority" seaty are unassigned. What should you do?

You should assign the passenger with arthritis in his spine one of the two "priority" seats, but you must notify his that he may have his "priority" seat reassigned if another passenger who is entitled to a "pricwity" seat requests one. On the day of the flight, e passenger with a service animal and a passenger with a fused leg sttow up for the same flight and request bulkhead souts. In this instance, the passenger with arthritis in his spine would be informed that his "priority" soet mast be assigned to one of those passengers and that he must be moved to another seat. As a matter of good cus-somer service, ho may be sarigned an aisle seat because it would make it easier to access.

No Advance Segi Archives

If a carrier does not provide advance seat assigaments, you must allow passengers who

identify themselves as pas sengers with a disability in need of a seating accommodation to pre-board-even before other passengers ontitled to pre-board-and select the seat nesigament thar best meets their needs. (Sec. 382.85(b)] If a carrier wishes to comply with this requirenast to another way, it must receive wrkten approval from DOT. (Sec. 382.83(d))

Other Inner Relating to Seat, dratmetr

You cannot resasign the seat of a passenger with a disability who has received a seat assignment to accommodate a Masbillby in the event of a subsequent request for the same sont unless the passenger with a disability consents to the consiguent. (Nov. 362.87(d))

You must not deny transportation to any individual on a flight in order to provide a sest accommodation to a pas songs with a disability. (Sec. 382.67(e)] You are also not required to provide more then one seat per tielcet or a seat in a theas of service other than the one the passenger has purchased to accommodato a passager with a disability requesting #sating accommodation. (Sec. 382.8715)) You runt comply with all FAA safety requirements in responding to re-quests Dam individuals with a disability for coating accommodations. (Sec. 382.37(b)]

Raniumple: A passenger with an coutonmy class ticket and an immobilized leg (with a full-leg vast) arvives more than hour before his flight is scheduled to depast. He arrives at the check-in counter, explains his disability, and insists

that he is entitled to a seat in fast class to accommodate his extended leg. Your carrier uses the "priority" seating me-thod for advance sest assignments. What should you do?

Since the passenger has identified himself as a passenger with disability and has requested a seat assignment to accommodats him, you must provide a bulkhead seat or other seat with more legroom than other seats on the side of the aisle that best accommodates him. While first class seats generally have more legroom than economy class seats, you are not required to provide a seat in a class of service other than the one the passenger has purchased in order to ac-commodate him. You should explain politely and respectfully that under the law, you must seat him in (1) a bulkhead or (i) an aisle seat in economy class on the side of the plane that would best accommodate his leg. At his subsequent re-quest for a bulkhead seat, you

must arrange to move another passenger from the bulkhead seat and give it to the passen-ger with the immobilized leg. Although you are not required to do so under the law, you may choose to seat him in first class.

C. Boarding and Deplaning Assistance

If a passenger with a disability requests assistance getting on or off an airplane or you offer assistance and the pas senger consents to the type of boarding or deplaning assistance you offer, you must provide such assistance. [Sec. 382.95] The type of assistance you must offer includes, as needed, services personnel and the use of wheelchairs, раддра, or mechanical lifts. [Sec. 382.95(a)]

Keep in mind, however, that a wheelchair is not required or desired in all cases. A wheelchair may not be an appro priate assistive device in a particular situation. For example, a passenger with vision impairment may need a sighted guide, not a wheelchair.

Carriers must train employees to proficiency in the use of the boarding assistance equipment and procedures re-garding the safety and dignity of passengers receiving boarding assistance. [Sec. 382.141(a)(3)] Therefore, regardless of the size of the aircraft, you should know how to use mechanical bolirding assistance devices and the appropriate proce dures for providing boarding assistance.

In addition, you should be aware that when level-entry boarding is not required or if a lift is temporarily not fune 382.101] Therefore, in such situations, you should present the various options and provide only the type of boarding tioning, you must obtain the consent of the passenger with a disability to the means of boarding assistance. [Sec. assistance to which the passenger consents. If the passenger does not consent to the available means

141499) of bomding assistance, you should contact a CRO.

You cannot leave a passenger in a boarding wheelchair or other device in which the passenger is not independently mobile for more than 30 minutes. [Sec. 382.103]

Carriors must provide access to the airplane for a passenger with a disability by a level-entry loading bridge or ao cessible passenger lounges where these means are available. (Sec. 382.95But depending on the size of the aircraft, carni-ors have different obligations to provide bow fing assistance to individuals with a disability using mechanical lifts, ramps, or other suitable devices that do not require you to physically ift or carry passengers up stairs. [Seos. 382.40 and 382.101

Boarding and Deplaning Assistance Where Level-Entry Boarding Is Unavailable

For sircraft with 19 or move rests operating at airports with 10,000 or more annual enplanements where level-entry boarding is not available [Ses. 382.95]carriers must provide boarding assistance is passengers with a disability using mechanical lißs, rampe, or oder suitable devices that do not require you to physically lift or curry passengers up stairs. [Secx 382.95 and 382.10in addhion, carriers may require that a passenger sonking boardlag assistance by use of a lift check in for the flight one hour before the scheduled departure titon. [Sec. 382.99(d)] You must make a reasonable ef-fort to accommodate the passenger and provide the boarding assistance by lift even if the prasenger does not check in one hour before the scheduled departure time, as long as it would not delay the flight.

Boarding assistance by mechanical lift is not required in the following situations:

On aircraft with fewer than 19 sonts;

On flost planes;

On the following 19-sem capacity sircraft models that are unsuitable for boarding assistance by lift: the Fairchild Mere, the Jetstream 31, and the Beech 1900 (C and D Models);

On any other 19-sent aircraft model deturmined by DOT to be unsuitable for boarding assistance by lift; [Sec. 382.97]; or

vice. On any widebody aircraft determined by DOT to be unsuitable for boarding assistance by lift, ramp, or other de-

boarding assistance by lift is not required (as set forth above) or it cannot be provided for reasons beyond the control of the carrier, eg, the mechanical lift is not fimetioning, then boarding assistance must be provided by any available means, except physically hand-carrying the paanonger. Hand-carrying is defined as directly picking up the passenger's body in the arms of one or more carrier personnel to offect a change of level that the passenger needs to en-ter or leave the aircraft. [Sec. 382.101]

Except in an Emergency Evacuation, No Hand-Carrying Passengers

Under no circumstances-except for emergency evacuations-should you physically pick up a passenger with a dis-ability to provide boarding or deplaning assistance. [Sec. 382.101]

Example: A wonsan asks for assistance in boarding a flight with 30 seats. General boarding for passengers is by a set of stairs on the tarmac. When she arrives at the gate and asks for boarding assistance, she is provided a boarding wheelchair, but you inforus her that the mechanical lift is out of order. The passenger tells you to physically pick her up and carry her up the stairs and onto the plane because the really needs to make the flight. What should you do?

Under the law, you must not physically hand-carry the passenger onto the plane. Head-carrying is only appropriate in the case of an emergency evacuation. Even though the law states that the passenger must consent to the type of boarding assistance and she has requested to be hand carried, you must not hand-carry her onto the aircraft, instead, you should contact & CRO for advice about options for eltemative means of boarding the passenger, eg, carrying the board-ing wheelchair, with the passenger in it, up the stairs and onto the plane. Next, you and the CRO should explain to the peasenger that, under the law, you are not permitted to physically hand-carry hur onto the plane. In addition, you should explore other available options for aspisting this passenger with boarding the aircraft, including carrying the passenger onto the plane in a boarding wheelchair or arranging for another flight with a working lift or a jet bridge. If the passen ger consents to being carried onic the plane in the boarding wheelchair, you may do so. Regardless, you should notify the appropriate personnel that the mechanical lift is not functioning property and arrange for repair as quickly as possible.

D. Stowing and Treatment of Personal Equipment

You should be familiar with the legal requiren ents for storage and treatment of personal equipment used by pas-sengers with disability, including ventilator/respirators, non-spillable bateries, canes, wheelchairs, and other assistive devices. [Sec. 382.125]

Storing Assistive Devices in the Aircraft Cabin

You must allow passengers with a disability to bring their personal ventilators/respirators, including non-spillable batteries, on board the aircraft as long as FAA safety regulations are met. [Sec. 382.41(1)] You must permit passengers to stow their canes and other assistive devices in the cabin and close to their seats, consistent with FAA safety regula-tions concerning carry-on items. [Sec. 382.121]

Example: Because a passenger with a disability arrived at the airport late, time and space constraints on board the aircraft require you to store her assistive walking device in first class, even though her sont assignment is in the back of the plane in economy class. She insists that she has the right to have her assistive walking device stored near her. She explains further that she would need this device to access and use the lavatory. What should you do?

You must pernit a passenger with a disability to bring her assistive devices into the cabin as long as FAA safety regulations are met. [Sec. 382.121] You must not count assistive devices brought on board the aircraft by a passenger with a disability toward the limit on the passenger's carry-on items. [Sec. 382.121(b)] Wheelchairs and other assistive devices that cannot be stowed in the cabin must be stowed in the baggage compartiment with priority over other cargo and baggage. (Sec. 382.125(a)] In addition, because carriers cannot charge for facilities, equipment, or services required under the law to be provided to qualified individuals with a disability, no charge would be imposed if a wheelchair of assistive device exceeded the weight limit on checked baggage. [Sec. 382.131]

Example: A passenger with multiple sclerosis is one of many passengers on a flight who is informed that the flight will not be taking off because of mechanical problems. It is late at

night and the carrier has announced that the passen gers will be put up in a hotel for the night and rescheduled on a flight leaving the following morning. The passenger with multiple sclerosis approaches you when she hears the announcement and explains that she needs access to her checked luggage because it contains her syringe and inedication for her multiple sclerosis which she must take on a dal ly basis. What should you do?

The passenger's syringe and medication would be considered an assistive device under the law. Under section 382.125(c), because the passenger requested the return of her assistive device, you must return it to her. As a matter of customer service, you may also advise such passengers (e.g., via the carrier's Web site or other consumer

[41500] information materials) that the carrier recommends to all of its passengers who require such medication or other items for medical necessity to bring a carry-on bag containing the medication or other item on board. Such me-diontion carry-on bags would not be counted toward the passenger's carry-on baggage allotment.

Wheelchairs

Carriors must permit storage in the cabin of wheelchairs or components of wheelchairs, including folding, collapsi ble, or breakdown wheelchairs (Sec. 382.123] na follows:

If the mircraft contains a closet or storage area of a size sufficient to accommodate a passenger's folding, collapsi ble, or breakdown wheelchair, the carrier must designate priority stowage space for at least one passenger's wheelchair In that ares. If a passenger with a disability decides to pre-board, the passenger may stow the wheelchar in the desig nated storage space with priority over the curry-on itens brought on board by other passengers or crow members board-ing the plane at the same airport. IL, on the other hand, a passenger with a disability chooses not to pre-board, the pas nenger may stow the wheelchair in the designated storage space on a firat-come, first-served basis along with all other passengers sonking to stow carry-on items in the space. [Sec. 382.123)

if the aircraft cabin does not contain a storage area of a size sufficient to accomruodate a folding, collapsible, or breakdown wheelchair, you must stow the wheelchair in the cargo compartment with priority over other baggage. [Sec. 382.125(80)

Whlchntry Unable To Be Stowed be the Aircraft Cabin as Carry-On

Wisen a fulding, collapsible, or break-down wheelchair cannot be stowed in the cabin as carry-on baggagen, you mst ensure the timoly chocking and return of the passenger's wheelchair or other assistive device as close as possible to the four of the aircraft, so that the passenger with a disability can use his or her own equipment, whers possible, consia-tent with DOT regulations concerning transportation of hazardous materiais. [Sec. 382. 125(0)]

IL, on the other hand, a passenger with a disability requests, you should return the wheelchair or other assistive de-vice at he baggage claim area instead of at the door of the aircraft. (Sec 382.125(6)(2)]

A passenger's wheelchair or other assistive device aust be stowed in the baggage compertinent with priority over other tous and baggage. [Sec. 382.125(0)) In order to ensure the timely return of a passenger's whnolabair or other as sistive device, it must be among the first items retrieved from the baggage compartment. (Sec. 382.123(4) favong peserity to wheelchairs and other ursistive devices results in passengers' non-assistive device-related baggage being un able to be carried on the flight, you must use your best efforts to ensure that the non-aapiativo device-reland baggage reaches thar pasanngere destination within four hours of the scheduled arrival time of the flight.

Pad Wheelchairs

You must accept a passenger's battary-powered wheelchair, including the bottery, as checked beggege unibas bag-gage computment size and aircraft airworthiness considerations prohibit it. [line. 382.127())

Carriers may require that a passenger with a duability wishing to have a battery-powered whenchet transported on a flight shock in for the flight one hour before the scheduled dupartiste (c. 382.127(6)) You mine alio make teamonable effort to sccommodate the passenger and transport the whealthan even if the passenger doos not check in one hour before the scheduled departure time, as long as it would bor delay the lighs.

10 the battery on the passenger's wheelabair has bam labeled by the manufacturers new-apithable ve thy the hu tery-pattered whanichair with a spillatde hattory can be loaded, anced, semrad, and unloaded és a upright polihon, you must wir neuer the hairy to be removed and smpuratily packaged You may reply any Intancy that appears to be damaged or laking (Bac. 382.12763

When it is necessary to detach a battery from a whendobar, you out the battery consistent with appropriato naudos comtecink regulatus [packaging (Sac. 382.31] pugng the the same мй расада change the such

You ar not drain batteries [Sec. 382.12700)

Yoo muat permit pasmoges with disability we provide weinotruction coconting the dimbly and re matbly of their wheelchairs [Soc. 387. 129(a))

When you disassemble wheelchairs or other assistive devices for stowage, you must reassemble them and ensure their prompt redissemble wheelchair you must return a wheelchair or other assistive device to the pas senger in the same condition in which you received it. [Sec. 382.129(b)]

The normal baggage liability limits do not apply to loss, damage, or delay concerning wheelchairs or other assistive devices. Instead, the criterion for calculating the compensation for lost, damaged, or destroyed wheelchairs or other as-sistive devices must be the original price of the device. [Sec. 382.131] Moreover, you must not require a passe iger with a disability to sign a waiver of liability for damage to or loss of a wheelchair or other assistive device, although you may make notes about preexisting damage or conditions of wheelchairs or other assistive devices. [Sec. 382.35]

Example: A passenger with a battery-powered wheelchair with a spillable battery arrived at his departure gate for his domestic flight and airline personnel there determined that the wheelchair could not be loaded, stored, secured, and unloaded in an upright position. Therefore, they directed the appropriate personnel to remove and store the battery and gate check the wheelchair. When the passenger arrives at his destination and the battery is replaced, it is done so incor-rectly and the entire electronic circuit board of the wheelchair is

severely damaged, rendering the wheelchair temporar-ily unusable. What should you do?

Upon request, you must permit passengers with a disability to provide written Instructions concerning the disas-sombly and reassembly of their wheelchairs. As a matter of good customer service, you should apologize to the passer ger for the problem and the resulting inconvenience. In addition, you should explain to the passenger that the carrier will compensate him for the damaged wheelchair in an amount up to the original purchase price of the device. If, for ex ple, the passenger provides you with documentation that the original cost of the wheelchair was $ 10,000 and verifica tion that it cost $ 2,900 to be repaired, the carrier would pay the passenger or the repair company $ 2,900 to cover the cost of the wheelchair repair. In addition, paying for reasonable costs associated with the rental of

[*41501] wheelchair by the passenger during the repair period could also be recovered by the passenger from the carrier.

B. Services in the Cabin

Within the aircraft cabin, when requested by a passenger with a disability or when offered and accepted by a pas-senger with a disability, you must assist the passenger in:

Moving to and from a seat as part of enplaning and deplaning (Sec. 382.111(a));

Preparing for eating, such as opening packets and identifying food (Sec. 382,111(b)):

If there is an on-board wheelchair, using the on-board wheelchair to enable the passenger to move to and from the Invatory which, if requested, could entall transferring the passenger from a teat to an eisle chair [Sec. 382.111(0)];

Moving to and from the lavatory, if the passenger is semi-ambulatory, not involving lifting or

carrying the individ-ual [Sec. 382.11(d)); and

Loading and retrieving carry-on items, including mobility aids and other assistive devices stowod in the cabin [Sec. 382.111(e)];

Example 1: A passenger using a boarding wheelchair asks for help storing her carry-on item in the overhead com-partment because, it is apparent, her disability limits her ability to reach up to the overhead compartment. What should you do?

You must either assist the passenger directly or indicate that you will find the appropriate employee to assist her in stowing her carry-on bag in the overhead compartment.

Example 2. A passenger who walks onto the plane for an evening flight with a rolling carry-on bag asks for help lifting his bag and putting it in the overhend storage compartment. What should you do?

Since be has not identified himself as a qualified individual with a disability, you may want to ask for further clari-fication Because, under the law, normally you cannot ask a passenger if he has a disability, you might ask, "Is there any particular reason you need assistance sir?" or "Could you tell me a little about your need for help?" or "Are you unable to lift it yourself?" If, for example, the passenger explains that he has multiple solerosis and his musoles are particularly fatigued at the end of the day and therefore he needs help lifting things, you must either assist the passenger directly or Indicate that you will find the appropriate employee to assist him in stowing his carry-on bag. If, on the other hand, the passenger states that he is merely tired and doan't feel like lifting the bag, the passenger is not a qualified individual with a disability and, therefore, you are not obligated to assist him. You may politely decline to assist him, depending ohe carrier's policies regarding assistance with stowing carry-on items for passengers.

You are not required to provide extensive special assistance to passengerz with a disability such as:

Help with eating, for example, cutting food and feeding the passenger [Sec. 382.113(a)]:

Assistance within the restroom or at the passenger's seat with elimination functions [Sec. 382.113(b)]; or

Provision of medical services. [Sec. 382.113(c))

You cannot require that a passenger with a disability sit on a blanket. [Sec. 382.33(b)(3)]

F. Sefety Briefings

Individheal Safety Briefinge

Under certais circumstanens, you must provide individual safety briefings to a passenger with a disability. Federal undiry regulations require you to conduct an individual briefing for each passenger who may need assistance to move mpeditiously to an emergency exit. You onist brief the passenger and the safety assistant, if any, on the routes to the appropriate exit and on the most appropriate time to move toward the exit in the ovent of an emergency. In addition, you task the passenger and the cafety assistant, if any, the most appropriate manner of assisting the passenger. [14 CFR 121.571(a)(3)] You may offer such briefings to other passengers. [Sec. 382.115]

In the case of private safety briefings for passengers with a disability: You must conduct the briefing as inconspicuously and discreetly as possible. [Sec. 382.115(d)]

You must not require a passenger with a disability demonstrate that the person has listened to, read, or under-stood their passengept to the extent that you or other employees impose such a requirement on all pas. sengers with respect to the general safety briefing. [Sec. 382.115(c)]

You must not take any action adverse to a passenger with a disability on the basis the individual has not "accepted" the briefing. [Sec. 382.115(c)]

Accommodations for Passengers Who Are Deaf or Hard of Hearing

If the safety briefings are presented to passengers on video screens, carriers must ensure that the video presentation is accessible to pas angers who are deaf or hard of hearing. [Sec. 382.69] More specifically, carriers must implement this requirement by using open captioning as part of the video presentation. [Sec. 382.69]

Timely and Complete Access to Information

Carriers must ensure that, upon request, passengers with a disability, including those who are (i) blind or visually impaired; or (Ii) deaf, hard of hearing, or deaf-blind, have timely access to information being provided to other passen-gers, including but not limited to, information concerning ticketing, flight delays, schedule changes, connections, flight check-in, gate assignments, the checking and claiming of luggage, and aircraft changes that will affect the travel of pas-sengers with a disability. [Sec. 382.53(b)] Passengers who are unable to obtain the information from the audio or visual systems in airports or on board must request the information from you. In other words, as a practical matter, passengers may have to identify themselves as (1) blind or visually impaired; or (Ii) deaf, hard of hearing, or deaf-blind in order to obtain the information. See Chapter 7 in general and "Tips for Assisting People Who Are Blind or Visually-Impaired" and "Tips for Assisting People Who Are Deaf, Hard of Hearing, or Deaf-Blind" in particular.

Chapter 6: Assisting Air Travelers With Disabilities With Their Complaints

A. Complaint Procedures and Complaints Resolution Officials (CRO's)

B. Process to Resolve Complaints

C. General Complaint Resolution Tips

D. Recording, Categorizing, and Reporting Written Disability-related Complaints Received by Carriers

A. Complaint Procedures and Complaints Resolution Officials (CRO's)

Carriers must (1) establish a procedibility related complaints raised by passengers with a dis-flights you operate that begin or end at a U.S. airport. [Sec. 382.151(b)] Each CRO must be trained and thoroughly pro at cepat 382.151) to the rights of passengers with disabilities under

[*41502] carrier must make a CRO available to any person who makes a disability-related complaint during all times the carrier is operating at an airport and should make that person aware of the existence of the Department of Transportation's aviation consumer disability hotline for resolving issues related to disability accommodations. The toll-free number for the botline is 1-800-778-4838 (voice) and 1-800-455-9880 (TTУ).

Availability of the CRO

Carriers must make a CRO available at all times the carrier is operating at each airport serving flights you operate that begin or end at a U.S. airport. [Sec. 382.151(b))) The CRO may be made available in person or by telephone. If the CRO is made available by telephone, it must be at no cost to the passenger. The CRO must be accessible via TTY for passengers who are deaf or haid of hearing. If a pessenger with a disability, or someone on behalf of a passenger with a disability, complains about an alleged violation or potential violation of the law, you must put the customer in touch with a CRO on duty. [Sec. 382.151] A CRO has the authority to resolve complaints by passengers with a disability on behalf of the carrier. [Sec. 382.151(0)]

Complaints Made Dwing the Trip

When a passenger with a disability makes a complaint to a CRO during the course of the trip (e.g., over the tele-phone or in person at an airport), the CRO must promptly take action to

resolve the problem as follows:

If no violation of the law has occurred yet, the CRO must take action or direct other employees to take action to ensure compliance. Only the pilot-in-command of an aircraft has final authority to make decisions regarding safety and the CRO cannot counterinand a pilot's decisions regarding safety. [Sec. 382.153(a)]

If a passenger complains about a disability-related issue or alleges a violation of the law that has already occurred sand the CRO agrees that a violation has occurred, the CRO must provide the complaining passenger with a written statement summarizing the facts at issue and the steps, if any, the carrier proposes to take in response to the violation. [Sec. 382.153(6)] This statement must be provided in person to the passenger at the airport, if possible; otherwise, it must be forwarded to the passenger within 30 calendar days of the complaint. [Sec. 382.153(d)]

If a passenger alleges a violation of the law but the CRO determines that no violation has occurred, the CRO must provide a written statement including a summary of the facts and the reasons for the determination. [Sec. 382.153(c)] This statement must be provided in person to the passenger at the airport, if possible; otherwise, it must be forwarded to the passenger within 30 calendar days of the complaint. [Sec. 382.153(d)]

The written staternent provided to the complaining passenger must include information about the right to pursue DOT enforcement action under the law. [Sec. 382.153(d)]

Written Complaints Received After the Trip

You should be aware of your carrier's established procedure for resolving written complaints from passengers with a disability. [Sec. 382.155)] In addition, under the law, a carries is not required to respond to a written complaint post-marked more than 45 days after the date of the alleged violation. [Sec. 382.155(c)] Your carrier must provide a disposi-tive written response within 30 days of receipt of a writisa complaint describing a situation that would constitute a vio Intion of the law. [Sec. 382.155(d)]

You should provide all information regarding written complaints--and in general-in a polite

and respectful manner as a matter of high standards of customer service.

Depending on the carrier's determination, its response to a written complaint must include the following:

If the carrier agrees that a violation has occurred, the carrier must provide a writion statement to the complaining passenger summarizing the facts and stating what steps, if any, the carrier proposea to take in response to the violation. [Sec. 382.155(d)(1)]

If the carrier deaios that a violation has occurred, the written respouse must include a suunniary of the facts and the carter's reasons under the law for making its deterinisation. (Sec. 382.155(d)(2)]

DOT enforcement action under the law. [Sec. 382.155(4)(3)] The written statement provided to the complaining passenger must include information about the right to pursus

Responsibilities of Employees Other Than the CRO

You should be aware that all personnel dealing with the traveling public should be trained to proficiency regarding the legal requirements and the carrier's policies concerning the provision of air travel to individuals with disabilities. [Sec. 382.141] These employees must recsive training regarding awareness about and appropriate responses to indi-viduals with physical, sensory, mental, and emotional disabilities. [Sec. 382.141(a)(2)]

You should be familiar with your carier's established procedures and the CRO's duties and responsibilities with re-spect to resolving a complaint raised by a passenger with a disability. You should convey this information to passengers with a disability under the appropriate circumstances.

When resolving complaints from a passenger with a disability, you should keep the following in mind:

Request assistance from a CRO immediately or assist the passenger with a disability in doing so, if the passenger requests to speak with a "supervisor" or "manager."

Contact a CRO if you are having any difficulty providing an accommodation required by law or carrier policy to a passenger with a disability.

Carry the information about how to contact a CRO with you at all times. Remember a CRO may be available in person or by telephone but a CRO must be available during all hours of the carrier's operation at the airport.

B. Process To Resolve Complaints

When you receive a complaint from a passenger with a disability, there are certain requirements under the law with which you, your carrier, and a CRO must comply. Even if you call a CRO, it is important to be able to assess the situa tion firsthand through observation, communication, and information gathering because a CRO is not always available on site and may only be involved in resolving the complaint via telephone.

Having a consistent process for fielding these complaints will assist you in complying with those legal obligations and providing good customer service. Learning what the particular problem is, finding the applicable rule, regulation, or policy that addresses the situation, and remedying the situation by taking affirmative action are important aspects of the process,

The ACCESS to these complaints. Remember ACCESS as a thorough and useful process through which you can address the complaint or refer it to a CRO as needed.

ACCESS

Ask the passenger with a disability how you may assist with concerns. Listen actively and carefully to what the passenger tells you and ask for further clarification when necessary.

[*41503]

Call a CRO anti report the complaint if you are unable to resolve the problem. If a passenger with a disability would like to contact a CRO directly, you must assist the passenger in doing so. If your carrier has en internal procedure for documenting complaints that requires CRO involvement or for documenting other types of passenger complaints, fill out the appropriate fonas, if any, and provide relevant and detailed information to satisfy that internal carrier policy.

Check this matual (and Appendix V containing the full text of Part 382) and your carrier's policies (concerning the law as well as good custonser service) to identify the issue at hand. If you need assistance, ask a CRO on duty.

Evaluate the relevant provisions of this manual (sad Appendix V containing the fall text of part 382) and your car rier's policies to determine the appropriate options for resolving the problem considering the following factors:

Does the solution comply with the law?

Does the solution comply with your carrier's policies?

Is there a question of airline and passenger safety? (Retsember, the pilot-in-command of an sircraft is the final ar-biter of a safety issce.)

Does the solution meet the needs of the passenger with a disability?

Can the solution be implemented in a timely manner, eg, to help the passenger with a disability make the flight or receive the accommodation?

Solve the problem by providing the passenger with a disability with the information, services, or appropriate action required under the law.

Satisfy the passenger with a disability to the extent possible when complying with the law. Communicating the ba sis for the action taicen (or not taken) to the passenger with a disability is critical. Thank the passenger for bringing the problem to your attention and ask if the passenger has any additional questions about the solution you or a CRO has provided. Ask if you are able to assist with any other concerns.

C. General Complaint Resolution Tips

You should familiarize yourself with this manual (and Appendix V containing the fill text of past 382) and your carrier's policies (concerning the law as well as good customer service). First and foremost, you nmat not violate the olvil rights of passengers with a disability. In addition, you should treat passengers in a manner consistent with good customer service policy.

You should work as quickly as possible to ensure prompt service und, at the same time, respect for the needs of passengers with a disability.

You should be aware of your carrier's procedives for addressing complaints. You should take the tione necessary to resolve the complaint while roaintaining flight schedules. If an unfiumiliar situation presents itself or you have any doubts or questions, you should contact your inrmediate supervisor or a CRO for prompt resolution of the issue.

You shotild make reasonable attempts to keep the passenger with a disability informed about your or other carrier personnel's progress with respect to resolving a complains.

You should avoid engaging hi an argument with a passenger with a disability presenting a complaint.

You should listen carefully and actively, evaluate appropriate options under the law and your carrier's policy, and communicate the burts for the action taken (or not taken) to the

passenger with a disability in a rompoetful and polite manner to ensure effective compinint resolution.

Even if you call a CRO, it le important to be able to assess the situation ümthand through observation, communica-tion, and information gathering because a CRO is not always avaliable on site and may only be involved in resolving the complaint via telephone,

D. Recording, Categorizing, red Reporting Written Disabüsy-Related Complaints Received by Carriers

Certificated U.S. carriers and foreign carriers al operating to, from, and in the Uulted States using at least one air-craft with more thuas 50 passenger seats anunt reconi, canigerian, and report written disability-releved complainta re-ceived by the carrier to DOT on en annual basis. (Sees. 382.157] You must not ass and report summarizing the disability-related complaints that you received during the prior calendar your by the inat Monday in January of each

year. [Sec. 382.157(4)] In addition, carriers must use the form specified in Appendix A to part 382, vailable at http://reporting.ost.dot.gov, when making the ante categories of written disability-related complaints that they re-http:/382reporting.of.dr.godohen making the annual report to DOT. See Appendix V. Carriers must develop a sys ceive according to the type of ability and the nature of the complaint. [Sec. 382.157(0)]

ni Foreign carriers are covered by this section only with respect to disability-related complaints associated with any flight segment originating or terminating in the United States. [Sec. 382.157(a)].

Chapter 7: Interacting With People With Disabilities

When assisting and interacting with individuals with disabilities, you should use language that gives an accurate, positive view of them. You should focus on the person first, nor the disability, and avoid language that reinforces myths, stereotypes, and discrimination.

Below is a chart listing some currently acceptable terminology and terminology to avoid when addressing or refer-ring to people with disabilities.

Use

Person with a disability

Person who is deaf

Person who is blind or visually-impaired Woman with an emotional disorder, psychiatric iliness, or psychiatric disability Person using a wheelchair, wheelchair user

Person with AIDS or living with AIDS

Congenital disability

Man who has cerebral palsy

Woman who has Down syndrome

Person with hond injury, people who have aus-tained brain damage, or woman who has tri matic brain injury

Person who has a speech disorder or womun without speech

Man with quadriplegia or woman who is para-

lyzed Person of small or short stature

Nandimbled

Avoid

Handicapped or deformed.

The deaf.

The blind; the visually-impaired. Crazy, demented, lunatic, psycho, or maniac

Confined to a wheelchair, wheelchair bound, or crippled.

Afflicted with AIDS, victim of AIDS, or suffers from AIDS.

Birth defect.

Afflicted with cerebral palsy or suffers from cerebral palsy.

Mongol, mongoloid, or rotarded.

Brahm damaged.

Mute or dumb.

Crippled

Dwarf

Normal, able-bodied, healthy, or whole.

(*41594)

It may not be apparent whether a person is an individual with a disability. You should provide an opportunity for a passenger to self-identify as an individual with a disability by asking if the person needs assistance and, if so, how best you can assist with those needs. Keep in mind that you cannot require an individual with a disability to accept special services, including pre-boarding.

Some Examples of Phyetcal Impairments (Sec. 382.3]

Orthopedic impalement;

Deafbess (profound hearing loss);

Hard of bearing (mild to profound bouring loss),

Vision impairment and blindness;

Speech disorder;

Cerebral palsy:

Epilepsy:

Muscular dystrophy,

Multiple sclerosis;

Cancer,

Heart disease, and

Diabetes.

Same Examples of Mental or Psychological impairments [Sec. 382.3]

Mental retardation;

Depression;

Anxiety disorders;

Specific isarning disabilities; and

Bewin injury.

Below is a list of general tips to consider when interacting with people with disabilities

followed by tips relating to interacting with individuals with one or more of the five baslo types of disabilities. These tips are simed at ensuring that services, facilities, and other accommodations are provided to passengers with disabilities in a respectü and helpful

Some of the tipe relate to specific legal requirements, but most of them set forth suggestions for interneting in a way that would constitute good customer service and demonstrate a sensitivity to the issues concerning passengers with dis-sbilities. The following tips should be read and employed with the above qualification in rolnd.

Genaral Tipe for Interacting With fudividuals With Disabilities

Ahraye ask. The most effective and simplest step for you to take when you are uncertain about a passenger's noods is to nak, "May I assist you?" or "Please let me know how I can assist you." A passenger with a disability has the most inflammation about his or her abilities, level of familiarity with the airport and airline, and needs when traveling.

Appreciate the passenger's perspective. Take inin consideration the extra thme and energy that traveling may re-pire for a person with a disability. For example, you should realize that a person with a dlaability may not have the Bexibility and spontanolty to react to unexpected situations. Understand that making adjustments may naku more time or may require additional attention or services for passengers with a disability.

Be yourself and he salf-aware. It is important to relax, be yourself, and insinmain the convaraational sylo you would use for anyone else when you are speaking with a person with a disability. He aware of the possibility that your body language could convey discomfort or impatience; try to avuld this. Also, respect the privacy of individuals with

fisabilities Asking about a person's disability can be perceived as intrusive and Insensitive. It might be interpreted as sincing the disability above the human being.

mindenfone Don't asume the silindiability would usually prefer to operate independently. Don't make campionat Doot assume thatail individuals with a disability automatically need

assistance. Keep in

mame. Acknowledge the omotions of the person in a stressful situation, eg., frustration or disappoint. need. When acknowledging the edhetions of others, it may be more effective to use "you" rather than "I." For example, "You must be lodging the emotion was for your checked wheelchair." Not, "I completely understand how you bel, I had to wait forever at a supermarket check-out yesterday."

Foew on the person, not the disability. The emphasis is on the person first, not the disability.

Keep the parrenger informed When providing an accommodation to a passenger with a disability, keep the pas-songs updated about the progress of thing in connection with such accommodation

Knowledge is useful. Be aware of the services, information, and resources available to a person with a disability who asks about a particular accommodation. If you don't know the answer to the question, treat the individual with re-spect and courtesy and say, "Let me find out for you." Don't make guesses about what accommodations or services to provide a person with a disability. When explaining requirements under the law to a passenger with a disability, avoid rendering ingal advice or counseling the person in any way.

The pathanger is the expert. Offer assistance only if the passenger appears to need help. If the passenger asks for doubts as to how to assist a passenger with a diesbility, you should ask the passenger for guidance before acting. Avoid help, ask how you can assist and listen to the passenger's response and instructions before you act. If you have any being overly enthusiastic about helping and always think before you speak and act when offering assistance.

Raspect personal space. Be sensitive sbou: physical contact. Avoid patting an individual with a disability or touch-ing the individual's wheelchair or cane. People with disabilitios consider their assistive devices to be part of their par sonal space.

Speak directly to the passenger. Always make eye contact and speak directly to a person with a disability, not the person's companion, attendant, or interpreter.

ability to perform certain tasks. Individuals with a disability are best able to assess and gauge what they can and cannot redt important to recognize that people with disabilities may vary in their do in a particular altuntion.

It is always important to keep the above tips in mind when sasisting and communicating with passengers with dis abilities. As a practical matter though, you will need to be aware of different considerations depending on the type of disability the passenger self-identifies as having.

with and sooonmodating passengers with each type of disability. Even though these five types of disabilities are set fortir bere, cach passenger with a disability should be considered sa an individual with individual needs. It is important Below are five basic types of disabilities with a list of considerations to keep in mind when you are communicating for you to communicate with each passenger about that particular passenger'a needs under the circumstances and to avoid making assumptions about the passenger's needs. The live basic types of disabilities addreamed below are: People tles: people who have difficulty speaking, and people with disabilities that are not apparent (a.g.. cognitive or ano who are blind or visually-impaired; people who are deaf, hard of beating, or deaf-blind: people with mobility dosahili-tional disability, diabetes, etc.).

Tiyu for Assisting People Who Are Blind ur Visually-Impaired

Comriuniontion

Only offer assistance if it seness appropriate, Ask the person if you can

[*41505] be of nasistance and, if so, bow you onu help.

Identify yourself by wame and job responsibility first.

Always commmmicate using words rather than relying on gestures, facial expressions, or other nonverbal commu-nication. For example, tell the passenger the gate nunnber and the directions to get to the gato. If you are handing s boarding pass to a blind passenger, explain that you have the person's boarding pass and that you would Hke to place it directly in the person's hand. Always communicate in words what you are doing, e.g., waiting to receive confirmation of a reservation, and identify any items you are giving to the passenger, eg, a credit card, tickets, voucher, etc.

Make sure a passenger who is blid is made aware of all relevant information as it becomes available to all paa-sengers. For example, if a boarding time in changed and the new boarding time is posted visually at the gate, you must inform the person orally. Advise the passenger when you are leaving the aren and answer any questions the person has before you do.

If individual safety briefings are required, conduct them discreetly with respect for the privacy of the person who is blind or visually-impaired.

If a person uses a term relating to the condition of belug blind or visually-Impahed that you are not familiar with or that you don't understand, ask the person to tell you what his or her neods are. If you need additional information, you should contser the CRO to discuss how best to proceed. In addition, be aware that your carrier may provide additional training to educate you about the different types of disabilities in order to ealunce your ability to accommodate passen-gers with disabilities.

Keep in mind that the special service request (SSR) field of the passenger name record (PNR) may contain infor mation concerning a passenger who is blind or visually impaired.

Guiding a Porton

Never take the arm of a person who is blind without asking first, because the person could lose balance. In addi-tion, if you don't ask first, the person who is blind could perceive a leck of respect because he or she was not given the option of receiving the assistance. Once you ask if you can offin your arm, let the person who is blind take it. You may direct the person's arm to a ralling or the back of a chair to assist with seating.

Walk approximately a half step ahead of the person if you are serving as a guide through the terminal. When en commering stairs, escalators, moving walkways, revolvlag doors, etc., give the person who is blind the option to choose whether to use the facility or conveyance. For example, you might say, "We can just keep walking or use the moving sidewalic. Which would you prefer?" Never assurne that a person who is blind cannot use these devices because of hilndneas. Instead, offer the individud the freedom and flexibility to choose which devices and facilities he or she would like to uso. Describe the environment in detail as you go and ask the person if he or she would like you to point our airport armunities such as restaurants, shops, ATM machines, restrooma, airtine club lounges, displays, or other ter-minal incllities, Note any obstacles and their location in your path. If you need to provide a warning, bo as specific as posible. Offer to orient the person to the gate or other terminal area in case he or she would like to walk around, ag you could say, "All even numbered gates are on our right when walking from security and odd numbered gates are on the inft.

When you are done guiding the person to his or her dastination, ask him or her if any other sarisioce is needed. Only if the person who is blind has requested should you inform other passengers or carrier personnel of the individual's nood for additiotiel assistance.

Be aware that senny people who are blind prefer to walk rather than use wheelchairs, electric carts, etc. You may not require a person who is blind to aan a wheelchair and, if requested, you must provide a walking golde for the person who is blind.

Service Animals and Assistive Devinca

Hever pet or distract a service animal accompanylag a person who has a disability. Don't sapers who are blind from their service animals.

Don't move person's cane or assistive device if the person las placed it on the ground neer a sont. If you nak and ructive perzatasion, you may help thes passenger collect things if need be, g, amy-on Items, Jrokats

Communication

Remember that people who are deaf, hard of hearing, or deaf-blind have various ways of communicating, .g., sign language, speech that people wito are deaf, hard of heating of person's deafness can go unnoticed unless the person self. identifies as a person who is deaf, hard of hearing, or deaf-blind.

as a method of come lookdire seement. Use a normal tone of voice when speaking to a person who When speaking, look directly at the person who is deaf or hard of hearing. The person may use speech/lip reading is deaf or hard of hewing out because shouting distorts the sound, words, and lip movement. Sometimes you may need to rephrase your message because many words have the same lip movement, e.g., 15 and 50 have the same lip movement. If writing a note, make the message short and simple.

Identify yourself by name and job responsibility first.

If individual safety briefings are required, conduct them discreetly with respect for the privacy of the person who is dear, hard of hearing, or deaf-blind.

Make sure a passenger who is deaf, hard of hearing, or deaf-blind receives all relevant information as it becomes available to all passengers. For example, if a boarding time is changed and the new boarding time is announced, you must inform the person throughı an accessible method of communicating.

If a person uses a term relating to the condition of being deaf, hard of hearing, or deaf-blind that you are not famil iar with or that you don't understand, ask the person to tell you what his or her needs are. If you need additional infor-mation, you should contact the CRO to discuss how best to proceed

A deaf-blind person may communicate through the printing on palm method, an alternative to using sign languaga your fingertip, not your nail. Always use all upper case letters and use the same reference point for each letter. More This method involves "writing" with your fingertip on the palm of the deaf-blind person's hand. Use the fleshy part of time, so the top and bottom letter falls in the and start in the upper left for a "W" and finish in the upper right. Use

the entire palm area for each letter. Use one stroke place, Make sure the words you print are "right side up for the person receiving the message. Write as large as possibir for both the letter "T" and the number is. The difference will be obvious from the context of what you are spelling When beings fonsing the palm of your hand. This action indicates that you have finished one

[41506]

Keep in mind that the special service request (SSR) Beld of the passenger anume record (PHR) may contain infor-mation concerning a passenger who is deaf, hard of hearing, or leaf-blind.

Guiding a Person Who is Deaf-Blind

Touch the person greedy and offer your anes Lat he person take your upper arm near your body; this way he or she on feel the change in gaitas you approach different banciers and propture for them. Don't calts or grab the ann of the person who is deaf-blind (perticularly the arte with which the person is holding a cass or guide dog harness) and don't push him or be along, if the person ans a guide dog, go to the side opposin the service semined and offer your arm (usu-sily the person's right side), Remember tha parson who le desi-blind cannot hear you. verefore, information regarding obeesclus, snes, to, amet be given tactually. Deafbitad people often have pour beteace so it is helpral to offer a steady hand to ale on orientation. Hever leave a daaf-bltad person la er open upats, plece his or her hand on a wall, post, rail-ing, or who ever is available.

Service Assinsis

Never get or district n service animsi accompanying a person wire has a disabuity. Don't separate passengers who are deaf, herd of hearing, or deaf-blind from their sarvios antrosio.

Te for Assisting People Who Have Mobility Disabilitie

Caramanicatio

Wa person uses a term to describe a mobility disability that you are not funillar with or that you don't understand, nor the person to tell you what his or her needs are. If you need additionel information, you should contact the CRO to discuss how best to proceed,

If individual safuty briefings are requirod, conduct them discreetly with respect for the privacy of the person with a mobility disability:

When having a long unavensation with a person who is using a wheelchair, stoop down or ait nearby so that you are closer to eye lovel

Wheelchairs and Other Assistive Devices

Be aware of the types of wheelchairs and assistive devices uued by people with mobility disabilities when travel-ing. You must be able to provide lsformation to people about the different types of wheelchairs, services, and other squipment provided or accumwindated by your carrier on the partloular light

Understand the proper sotion and storage of the different types of wheelchairs and assistive devices. Ask the per ion with the mobility disability the best way to bandle the devion.

Consider-keeping information haody about businesses providing wheelchair repair is the area in nasze a person with mobility disabilisy oveds the inforzastion.

Assisting With Transfers του ΜοντΕΑΤ Through Terminal

If you must traurfer & person with a mobilhy disabithy from an siale chair to a seat on the aircr, or perform any sther kind of transfes, explain the trunafer procedures and listen to any instructions or woferences from the person be fee andertaking the transfer

Be awnan diat, under the law, you can never physically hand-carzy a parties with s mobility disability (even if both of you um willhag) coept in su poacy εναστατίσει επσπίδα,

Wirem providing tremporention Litween gates, and the person with the mobility disabitly if the person would prefer to be penahed or not. If the maswer is yea, use elevators and avoid escalators and moving walkways. When samenvering hrough far torsual, say, "Excursus." Nos, "Exенва e."

The aware thant, coifer tdus lan, carriers are not permitted to charge pamengwa with dlaabilities in services or quipment recuired by part 382. If forever, a panger will, a diasbüity voluntarily offus to tip you for providing a wevice, you should consult your warrior's polley to desering whether you can sampe it.

Service Animals

Never pet or distract a service animal accompanying a person who has a mobility disability. Don't separate passen. grs with a mobility disability from their service animals.

Tipa for Assisting People Who Have Difficulty Spouking

Communication

Ask the pe son how he or she prefers to commuilcate.

A pencil and paper may be okay for short eonversations.

If you do not understand something that is said tell the person you don't understand and ask the person to repeat.

Be patient, it may take a while to communicate.

Let the individual speak without attempting to finish his or her sentence.

To obtain information quickly, ask short questions that require brief "yes" or "no" answers.

Don't ahou

Difficulty speaking does not indicate a lack of intelligence.

Tips for Assisting People Who Have Disabilities That Are Not Apparent

Communication

Do not make assumptions about the needs of people if their behavior appears to be unusual to you. Cognitive dis-aibilities may cause people to reason, draw conclusions, or respond more slowly. People with cognitive disabilities may appear caally distracted. Depending upon the disability, the person may understand materials in written form or through a verbal explanation. They may also find the background noise of a busy airport terminal extremely distracting.

cial expressions that could convey your own discomfurt. Disregard any speech impairments or physical tics by being patient and aware of your own body language and th

disability that is not apparent. Similarly, if there is a concern that the person is not medically stable enough for air tra If individual safety briefings are required, conduct them discreetly with respect for the privacy of the person with vel, conduot the inquiry in a discreet marmer and involve the CRO, if necessary.

that you don't understand, eak the person to tell you what his or her needs are. If you need

additional information, vou If a person with a disability that is not apparent uses a term to describe a disability that you are not familiar with or should contact the CRO to discuss how best to proceed.

Service and Emotional Support Animals

or service animals. Never pet or diatract a service animal accompanying a person who has a disability that is not appar Be aware that people who have disabilities that are not apparent may travel with emotional support animals or oth ant. Don't separate phasengnes from their service or emotional support animals.

Indices

and a Part 382 Index are available on the World Wide Web at http://airconsumer.ost dot.gov. [A PDF copy and a Microsoft Word copy of the Technical Assistance Manual containing an Alphabetical Index

Appendix I

Tips for Air Travelers With Disabilities

able to passengers with disabilities. Appendix I set forth als of tips or general gusteligen for There are some commonly used accommodations fallitles, and services that carriers are required to make averl

141597) av ravelers with disabilities to keep in roman that late to these commonly used accommodations, fbelli-les, and nervios. Therefore, the "yan" пость o borsie is an sirler with a disability or air travelers with disabili-4. Βοίαν που αυτάε spotific ipa.

Ask Questions and Provide incarnettona

Know what to sele cazier personnel. You can ask ine sad cuarto parsannal must be able to provide information hotz sircraft accesiblity, suring mod movable angrets lavstory arosasibility, boarding options, and storage facilities on board, moong other things

Altbougls advance notice not generally sortirad, understune han providing detailed information about the ac contations yod in afisare of treed wili ostjat prior per caust in providing thous accommodations in a com rect cod sünedy ины

you see trassitting phones, you inny want to lavectigate whether your trip tovelves more than one carrier. If so, contact sech sier to daterualan whether it is able so huty acenas odsto you. Koop ba nind that carriers might provide esels optiount watesampdated on their "anabaline" lights only, na co the tights operated by their sousller code-ahare afflists. For example, some series do not provide medicał nayzon on board. Don't samame that by communicating with the canior for das funt leg of your trio, oflere carriers handling the rest of the journey are fully brieted and able to eccommodate you. Similarly, when booking racervations callsa, you may want to consides contacting each carrier by telephone to determine in carrier individuel policies and to provide and reonire specific faformation to ensure your needs ere ant for sach leg of your Jourmey.

11 you are rolving assistance with innsportation between guns by grotend wheelchais, remsanber to instruct the portsnuol businting you on your speelfic needs, ag, whether or not you would like the airline employes or contractor to push you and the growed wheelcast through the terminal. Although in most instances you sre not obligated to self iden tify as a pessenger with a disability, reep in mind that conveying osrtain informaation er providing some guidance wili pards carlor pensamel to excise you better.

Directing cartier personnel to reroove footrests (If possible) sud otse sumovable parts of personal wheelchairs and stow them in the cobio may balp to rodaçs the potential for damage to the wheelchair while it is stowed in the cabin or in the curgo hoki

Boarding asos

When comnamloating to serier personngi above your need for boarding assistance, bo sa specific as possible about the type of bevel of boarding amicace you requine, or specifiently, if,

for example, you are completely immobile, ank carrior persemel to provide a wheelchair to teargpost you to and from the gate, a lin (if necessary), and assistance mature from an alsis chair to annt. If, for escuple, you are able to walk short distences, but cannot ascend and descond stepe, ark varrier personnel to provide a whenichair for longer distances to and from the aircraft and a lift (if anonswy). If, for example, yas un areud and dusoond mari sad can walk shortor distences but have difficulty walk-ing longer distances, act cruise perroviael to provide a wawelskrár or electric cars for longer disennoes to and from the aircraf

Carrier personal nes not partalited to playsicsily betul-carry a pazugeer with a disability on or off a plane, except in the case of an smergency evenation. Keop is mind the if none of the options for beading a porticuin flight in no ceptable to you, you may have to wait for another night or alor your wavel plana

Carrying Antiptive Devend Keeping Theur Mow You

Carrying terdicine or other saatative devices for syringos as a carry-on on that you may noed in the case of a flight compellation or a wred filight nowy be a good idea. At don, passages get reparated wvzpoutally from checked bagtage. If you do deelde oery andleation or other sexhitive devlose with ynu un bound, the finnas cannot be counted towards your curry-on luge age limit

patremunas You are suffled to keep you wasiative divice near you du bowel as toug as it do so not infra with esfety re

Carry infermadon and Utofel cuoios

Bringing photocopies of instructions about the assembly and disassembly of wheelchairs and other assistive devices when you access air rispondon me be a good idea. You can provide that information to carrier personnel string or checking your wheelchair or assistive (evice. Attaching a laminated set of brief instructions to a wheelchair itsel may also be a good idea in the event that your wheelchair is disassembled or reassembled in a secure ares to which you do not have access.

Bringing photocopies of receipts, warranties, or other product information concerning a wheelchair or assistive de vice may be useful if the item is lost or damaged in transit. It might help with locating a repair option or processing a claim for Hability against the carrier responsible for the loss or damage.

Complaints

Be aware that a Complaint Resolution Official (CRO) must be made available to you if you ask to speak with a manager or supervisor about a disability-related complaint. A CRO may be made available in person or by telephone. Passengers who are deaf or hard of hearing must be permitted to communicate with a CRO via a TTY on request.

If you make a written complaint, you should state whether a CRO was contacted when the matter arose and, if so, include the name of the CRO and the date of the contact, if available, and any written response received from the CRO.

Familiarize Yourself With the Law

Knowledge of the Air Carrier Access Act (ACAA) and its implementing regulations (14 CFR part 382) will permit you to be able to ask the right questions and share the most useful information with carriers. Some passengers with dis abilities bring a copy of the regulations with them when they access air transportation in order to have the primary re-source close at hand. Carriers must maintain a copy of the regulations at each airport they use. Therefore, if you are at an airport and have a question about the regulations, you may ask to review them and the carrier must provide them.

Individual Safety Briefings

You may receive an individual safety briefing under certain circumstances. If so, you should be provided an noces-sible safety briefing and it must be performed in a discreet manner. Keep in mind that you may need to provide informa tlon to carrier personnel to ensure that the individual safety briefing is accessible to you.

Limitations on Accommodations

Curier personnel are expressly prohibited from performing certain tasks. For example, carrior personnel camot physically hand-carry you on or off an airplane except in an emergency evacuation. In addition, while on board, carrier personnel are not required to administer medication to you, feed you, or accompany you into the lavatory to assist you.

Pre-Boarding as an Option

Although you are not required to pre-board, choosing to take advantage of a pre-boarding opportunity may assist you in securing a seating accommodation when a carrier does not provide advance seat assignments. In this situation, as a pessenger with a disability, you may choose to pre-board before all other passengers. You can select a seat that best meets your noods if you have taken advantage of the opportunity to pre-board.

Pre-boarding may also permit you to secure the allotted stowage for your wheelchair or assistive device or it may permit easier access to overhead compartments if you are stowing your assistive device or parts of your wheelchair on board.

Safety Always Considered

You should keep in mind that carriers are obligated to take the safety of all passengers into consideration when making decisions about accommodations for passengers with disabilities. At times, safety requires placing certain limi tations on accommodations, e.g., a service aninmal cannot block the aisle or an axit.

Seating Assignments

When requesting a particular seat assignment, it is useful to be as specific as possiblo about the type of sent that will meet your needs as a passenger with a disability. For example, instead of merely making for an "accessibles more helpful to provide some details about your specific needs, ask for a bulkhead seat or un alsic seat with a mor the most appropriate seating

[*41508)

Service Aufmais

tu not required under the leve to provide advise notice if you are traveling with a service animal. However, in dressigament your seat amigosini, you should be aware that, depending on whether the carrier provides advance set assignment and the type skin, word se bave a polley requiring possungers with a disability (1) to request he delcular seat asalgaznent 24 hours in advare of the departure of the flight or (ii) to check in at least an hour before the depermire of the light. Currhours in si to make e good faith effort to accommodate you and your ser dee animal regardless of whomes you bience at assigament policy and/or advance check in required Loop in mind that requesting you se tonigurem well in advance of the flight may perall you to se-cure the specific seat antigpursat you would life with the than amount of waiting, fnconvenience, or hassle to you.

Resources for Traveleva Wice Disabilities

DOT Web Site

DOT posts useful information for ali constars, including sir travelers with disabilinos, on its Web sito at http://airconsumer.ast, dos gov. Click on "Travel Th and Publications. The following publications are useful for air ravelers with diabilitice: Plano Tall-Passengers with Disabilities, Fly Rights, and New Horizons: Information for the Air Traveller With a Dinobility.

Air travelers wah disabilities can also nocess recent DOT enforcetumt orders to review DOT determinations in-volving the ACAA and peri 382 by going to http://www.dot.gov sand clicking on "Dockets and Regulations." See Ap-pendix II for additional instructiocas for searching this date buse of DOT enforcement orders and for a chart listing those enforcement orders related to the ACAA

DOT Hotitna

The toll free telephone hotline system that provides general information about the rights of air travelers with dis-abilities, responds to requesia for laforenstion, and assists air navelers with time-sensitive disabilty-related issues. Members of the pablis may call 1-800-778-4838 (voice) or 1-800-455-9280 (TTY) from 7 n.m. to li p.m. Eastern time, seven days a week, so receive assistance rogading al travel by individuals with disabilities.

Carriers' Web Pages and Reservallona Parsonnel

Always check these resources when seeking infocustion about services and equipment when accessing air transpor lution

Appendix II

Airline Manngercezt Related fes

Appendix II higölighin provisions of the ACAA esl be ancompanying rogolations outlining specifio responsibili-tee of management of carriers, Le, requirements to to implemented by mmsapessent employees as opposed to person tel who deal with the traveling pabdic, including presengers with a disability. la places, these are overlapping responsi bilities and cross-refercnces will be made to specifße seccions of this manual

Dbertesination Is Prohibited

Management of carriers are required to same the crurise (either directly or indirectly through its contractual, with a disability by tranun of such disability. (Sec. 382.111 in additica, somngarment of carriers should be aware that leansing, or oflue strangements to provision of a bansportatios) doen met discriminate saatest qualißed individuais hey are responsible for compliance with the ACAA end past 332 not only by their over empasyves, but also by employ es of any company or satity perfending methise on behalf of the carrier.

Miors specifically, carriers cannot requires parenga with disablesses, pre-bouding, tor More

specifically nicer 382.114)(2) disability from dated by the peteret of air pasportadon is ruloted sebit, except of dividuals, even if the deny that individual the benefiritellatile the pages with disability, except as provided by the ACAA and

part 382. [Sec. 382.11(a)(3)] Carriers cannot take actions adverse to passengers with a disability it they assert their rights under the ACAA and part 382. [Sec. 382.11(a)(4))

Carriers cannot limit the number of passengers with a disbility on a given flight. [Sec. 382.17) Carriers must mod-ify polictes, practices, and facilities is necessary to maure nondiscrimination consistent with the standards of Section 504 of the Rehabilitation Act, as amended. Carriers are not required to make modifications that would constitute as un due burden or would fur lamentally alter their program. [Sec. 382.13]

Refusal of Transportation

Carriers cannot refuse transportation to a qualified individual with a disability solely because the person's disability results is appearance or involuntary behavior that may offend, annoy, or inconvenience others. [Sec. 382.19(b)] Carriers must not refuse to provice transportation to a passenger with disability on the basis of his or her disability unless it is expressly permitted by the ACAA and part 382. [Sec. 382.19)

Safety Coralderations

The ACAA does not require air carriers to disregard applicable FAA safety regulations. [Sec. 382.7(g)1 Carriers may refuse to provide transportation to any passenger on the basis of safety and if carriage would violate FAA regulations. However, when carriers exercise this authority, they must not discriminate against a passenger with a disability on the basis of disability. [Sec. 382.19]

Writtes Explanation for Refusal of Transportation

When a carrier refuses to provide transportation to a passenger o cify in writing to the passenger the basis for the determination within 10 days of the refusal of transportation. [Sec. on a basis relating to disability, the carrier must spe 382.19(d)] In the situation where refusal of transportation is based on safery concerns, the written notice must include the carrier's reasonable and specific basis for its opinion that transporting the passenger would be inimical to the safety of the flight.

No Charge for Accommodating Passengers With a Disability

Carriers cannot impose charges for providing facilities, equipment, or services that are required by the ACAA and its accompanying regulations for passengers with a disability. (Sec. 382.31]

Indirect Air Carriers

If an Indirect air carrier provides facilities or services for passengers that are covered for other carriers by sections 382.17 through 382.157, the indirect alr carrier must do so in a manner consistent with those regulations. (by 382.11(b)]

Contractors and Travel Agents

Carriers must receive assurances from their contractors who provide services, including travel agents, that they will not discriminate on the basis of disability when providing auch services and include a clause with that assurance in their contracts. [Soc. 382.15(n)) Similarly, their contracts pourt contain a clause stating that contructor employees will comply with directives issued by CROs [Sec. 382.15(b)(2)]

Accessibility of Alrport Facilities

All terminal facilities and services owned, leased, or operated by a currim at a commercial service airport, incluστως parking and ground transportation, must comply with the Standards for Accessible Design under the Americans with Disabilities Act. Sec. 382.511 See also 49 CFR part 37. Appendix A. Carriers total ensure that these terminal Dacilities and services are

accessible to and usable by individuals with disabilities, including individuals who use wheelchair t Sec. 382.51(日)(1)) For example, carrione maastosure that there is an accessible path between the gate and the boarding

nl Compliance with the requirements spplying to places of public accommodation under Department (DOJ) regulations implementing Tule Ill of the Americans with Disabilities Act (ADA) is sulmetent for complhamor under the ACAA and part 382 with respect to airport terrainal facilities and services [Sec. 182.51000131 aren. (Sec. 382.51(a)(2)] ent of Justice

Contracts or lezece between carriers and airport operators concerning the use of airport facilitles must set forth the respective responsibilities of the panies for the provision of accessible facilities and services to individuals with dis-sbilities as required by law. [Sec. 382.51(a)(4)]

Carriers must not (1) restrict the movements of individuals with disabilities in terminals; (ii) require them to remain in a holding area or other Incziion in order to receive assistance; or (ii) mundate separave treaznent for individuals with disabilities except as required or permitted under part 382. [Sec. 382.33]

[*41509]

Advance Notice and Reservation System

Ceriers' reservation and other administrative systems must ensure that when advance notice is provided by a pas sunger with a disability as provided by the ACAA and its implementing regulations (see Ch. 3, Section A), the notice i recorded and properly transmitted to operating employees responsible for providing the accommodation about which notice was provided. [Sec. 382.27(0)]

Service Animals

Regardless of your carrier's policies with respect to pets, carriers are required by law to permit passengers with a disability to be accompanied by service animals in the cabin. [Sec. 382.117] See also Ch. 3, Section D and Appendix VL

Alrerat Accessibility

When considering ordering, purchasing, or leasing aircraft, management of carriers should keep in mind that the following features are required for aircraft ordered by the carrier after May 13, 2009, or delivered to the carrier after May 13, 2010. In addition, different size airplanes must be equipped with different features according to the law. For example, aircraft with:

30 or more passenger seats must have movable aisle armrests on at least half of the aisle seats where it is feasible 'and it does not interfere with safety [Sec. 382.61

100 or more passenger seats must have priority storage space within the cabin to stow at least one passenger's fold-ing wheelchair [Sec. 382.67] and DOT has interpreted that to mean a space at least 13 inches wide, 36 inches high, and 42 Inches long:

More than one alale in which lavatories are provided must include at least one lavatory accessible to passengers with a disability accessing the lavatory with an on-board wheelchair [Sec. 382.63];

More than 60 passenger seats having an accessible lavatory must be equipped with an on-board wheelchair [Sec. 382.65(α) από More than 60 passenger seats having an inaccessible lavatory must be equipped with an on-board wheelchair when a passenger with a disability informs the carrier (providing advance notice under Sec. 382.27) that he/she can use an Inaccessible lavatory but cannot reach the lavatory from his or her seat without the use of an on-board wheelchair. [Sec. 382.65(6))

Requirements relating to retrofitting and replacing features to ensure accessibility as well as providing on-board wheelchairs are covered by other specific provisions. However, any

replacement or refurbishing of the aircraft cabin must not reduce existing accessibility to a level below that specified under the law. [Sec. 382.71] Carriers must maintain sircraft accessibility festures in proper working order, [Sec. 382.71]

Seating Accommodations

Under certain circumstances, if a passenger self-identifies as a passenger with a disability, carriers must provide senting accommodations. [Sec. 382.81] bs order to provide these seating accommodations and other seat assignment requests from passengers with a disability, carriers may traplement a reservation system to provide for advance seat assignments. If s carrier provides advance sont assignments, it may employ zither the seat "blocking" method or the "priority" seating method. Eadis method requires some advance notice on the part of the passenger with s disability in order to guarantee the seating accommodation. [Seca. 382.83(a)(1)(ii) and (a)(2)(

Management of carriers should select an adequate reservation system to meet its needs, ensure proper administra tion of the reservation system, and provide employes training with respect to the reservation system and the require ments under the law for providing seating accommodations for passengers with disabilities

If carriers do not employ a system for advance seat assignments, if a passenger with a disability self-identifies, the passenger must be allowed to pre-board the aircraft and select a sent to accommodate a disability [Neo 382.836)

Carrions are not required to provide more than one seat per ticket or a seat in a claas of service other than the one the passenger has parchased to accommodate a passenger with a disability in need of a seat nasignment to accommodate his or her disability. [Sec. 382.87(())

Carriers must comply with all FAA safety requirements in responding to requests from individuels for seat assign-

ment accommodations. [Sec. 382.87(b)]

Services and Equipment

Boarding Assistance in General

If a passenger with a disability requests assistance getting on an airplane or carrier personnel offer assistance and the passenger consenta, a carrier must provide such assistance with boarding. [Sec. 382.91] The type of assistance carri-ers must offer includes, as needed, services personnel and the use of wheelchairs, ramps, or mechanical lifts. [Sec. 382.95]

Carriers mant provide access to the airplane for passengers with a disability by level-entry loading bridges or acces sible pessenger lounges where there means are available. [Sec. 382.95(b)] Depending on the size of the aircraft, carriers have different obligations to provide boarding assistance to individuals with a disability using mechanical lifts, runips, or other sultable devices that do not require lifting or canying passengers up stairs. [Sec. 382.101] See also Ch. 5, Sec-tion C

Carriers must train to proficiency in the use of the boarding assistance equipment and procedures regarding the safety and dignity of passengers receiving boarding assistance. [Sec. 382.141(a)(3)]

Storing Wheelchairs and Other Assistive Devices in the Cabin

Carriers must allow passengers with a disability using personal ventilators/respirators to bring their equipment, in-choding non-spillable batteries, on board the sircraft as long as FAA safety regulations are met. [Sec. 382.121] Caniers must permit passengers to stow their caties nad other assistive devices in the cabin, consistent with FAA safety regula-tions concerning carry-on items. [Sec. 382.121]

Carriers must not count assistive devices toward the limit on caury-on items when a passenger with a disability brings an assistive device on board the slicraft. [Sec. 382.121(b)] Wheelchairs and other assistive devices that cannot be stowed in the cabin zmust be stowed in the baggage compartment with priority over other cargo and baggage. [Sec. 3#2.125(6)] In

addition, because carriers cannot charge for facilities, equipzient, or services required under the law to be provided to qualified individuals with a disability, no charge would be imposed if a wheelchair or assistive device ex-ceeded the limit on checked baggage. [Sec. 382.31) Carrices must permit the in-cabin storage of wheelchairs or compo-nents of wheelchairs, including folding, collapsible, or breakdowa wheelchairs. [Sec. 382.121] In addition, aircraft with 100 or more passenger soats (ordered after May 13, 2009, or delivered after May 13, 2010) must have a priority space in the cabin designated fir stowage of at least one passenger's folding wheelchair. [Sec. 382.67]

On-Board Wheelchatea

Whan required, on-board wheelchairs must be equipped with specific features and bo designed to be compatible with the maneuvering space, aisle width, and seat height of the aircraft on which they are to be used, and to easily be pushed, pulled, and turned in the cabia environment by carrier persomel. [Sec. 382.65(c)]

Wheelchairs Unable To Be Stowed in the Cabin as Corry-On

Warm a folding, collapsible, or break-down wheelchair cannot be stowed in the cabin as carry-on baggage, carriers must ensure the timely checking and return of the passenger's wheelchair or other assistive device as close as possible to the door of the aircraft. [Sec. 382.125(0)]

In order to ensure the timely return of a passenger's wheelchair or other usalstive device, carrlers must maintain a baggage storage system so that the wheelchair or other assistive device must be among the first Items retrieved from the baggage compartment [Sec. 382.125(d)] and it xuat be stowed in the baggage compartment with priority over other Bens and baggage. [Soc. 382.125(b)

Battery-Powered Wheelchair.

Carriers must accept a passenger's battery-powered wheelchair, including the battery, as

checked baggage unless baggage compartment size and aircraft airworthiness considerations prohibit it. [Sec. 382.125(b)]

Carriors may require that a passenger with a disability wishing to have a battery-powered wheelchair transported on a flight check in for the flight one hour before the scheduled departure time. [Sec. 382.127(6)]

If (i) the battery on the passenger's wheelchair has been labeled by the manufacturer as non-spillable or (ii) the bat-tery-powered wheelchair with a spillable

141510] battery can be loaded, stored, securred, nad waloaded in sa upright position, carriers must not require the baitery to be removed and separately package. Carrier persoanel nasy remove and package separately any battery that appears to be daunaged or Inmicing. [Ner. 383.127(0))

When it is neongsary to detach a batory from a wheelchair, carlers must provide packaging for the battery and package is battary consistent with appropriate hazardous asterials regulations. [Sec. 382.127(d)]

Lebilay for Loss on Damage

The language liability limite do not apply for liability for loss, damage, or delay concerning wheelchairs or other as austive devices. Instead, the criterion for calculating the compensstion for lort, data sged, or destroyed wheelchairs or offer assistive deviesas must be the criginal price of the device. [Sec. 382.131] Carver personnel must not require a pas senger with a diambilty to signs werver of liability for demage to or loss of a wheelchair or other assistive device. [Sec 382.35] Canles pancutial may taske pose about proexisting demags or conditions of wheelchairs or other assistive anvicea

Individasi Safety Briefings and Tiensly and Complete Access to Information

Caninen mual core that, upon request, passengers with a disability, including those who are blind or visually in-pelred or risal, hard of hearing, or dust-bliud, have timely acosss to information being provided to other passengers, including but not limited to, safety briefinga [Sens, 382.41 and 382.53] and information concerning ticketing, flight do-lays, schedule changes, cosmoctions, flight check-in, gafe assigamems, the checking and claiming of huggage, and air-craft changes that will affect the travel of passengers with a disability. [Suc. 382.53(b)] See also Ch. 5, Section F. If the safety briefing is presenind in psaseugen on video sarveen, carriers must ensure that the video presentation is sccossible to passengers who are deaf or bard of hencing [Sec. 380.69]

Complaint Procedures

Carriers providing scheduled service muut establish nad implement a complaint resolution mechanism including designation of one or more complaints resolation officials (CRO's), [Sec. 322.151] The carrier must sunke the CRO available during all times the carrim la apantlog at the airport. [Sec. 382 151(b)] See also Ch. 6.

Certificated U.S. contora and foreign carriers ni operating to, frotu, and in the United States using as lenst one air-crut with more than 60 parseeger seats, must recurd, natogovize, and report written disability-related complaints re-coived by carriers te DOT on an manual basis. [Sec. 382.157] You must sobralt an annual report summarizing the dis-ability-reinted complaints thust you received during the prior calendar year by the last Monday in January of each year. [Sec. 382.157(d)] In addition, carriers mast use the forta speedfied in Appendix A to part 382, available at http://382reporting.oal.dot.gov, when making the cocal report to DOT. See Appendix V. Carriers must develop a sya-reus for recording and collecting dara regarding specific categories of written disability-related complaints that they re-celve according to the type of disability and the nature of the complaint. (Sec. 382.157(6)]

al Foreliga carriers are covered by this section onty with respect to disability-related complaints associated with any light segment origiosting or terlasting le the United States. [Sec. 382.157())

Employen Training

hinangerenar of carriere aliould be aware that proper training of carrier personnel is critinal to compliance with the ACAA and par 32

Carvises operating aircraft with more thao 19 passenger saats must provide wining for all personnel who deal with the traveling public, os apropriate to the duties and responsibilities of each employee. [Sec. 382.141(6)]

Carrieza manast provide maining to proficiency in the requirements of the ACAA and its implementing regulationa other DOT and PAA regtiations affecting the provision of air traumportation to passengers with a disability, includ ing the proper and safe operation of nay equipmeet used to accommodate passengers with a disability. [Sec. 382.141]

Carriery count also trato employees who deal with the traveling public regarding awareness and appropriate re-sponses to kodlividuale with a dinnbility, including individuals with physical, sessory, mental, and emotional disabilities, locluding bow in datinguish arvous the diffuing abilities of individouls with a disability. [Sec. 382.1411(a)(2)]

Carven men cumsali with organizations vepresenting persons with disabilities in developing their training pro grams and polmes cerning which carier personnel receive auling. [Sec. 332.14)()(4)]

Carriers must provide or require their contractors to provide training to contractors' employees who deal with the traveling public reporting providing all transportation to passengers with a diasbilty. (Ses. 382.141(6)(6)

Carrier Program

Cariers operating aircraft with more than 19 passenger seats must establish and implement a wrliten program for carying out the requirentients of the Inw. fSec. 382.145] The program must include: (1) A raining schedule for training carrier personnel on complian of the Send procedures for accommodating individuals with a disability comairient with the requirements under the law. DOT has the authority to request and review such programa as appropriate.

[Sea. 382.145)

Security Screenings

peasenger. See Ch. 4, Section security screening of of September 11, 2001, however, in most cases, TSA has taicen over for carriers in the antherings of passengers. Should carriers resume this responsi Carriers must undertake any security screening of a passenger with a disability in the sarue manner as any other bility or in cases where carriors springement in the security screening process, this section would be applicable to cariers and contractors of carriers performing this function.

Appendix III

Frequently Asked Questions

Question: What's the diffurence between the Air Carrier Access Act (ACAA) and the Americans with Disabilities Act (ADA)?

Answer: The ACAA, signed into law by then-President Reagan in 1986, prohibits discrimination by airlines against individuals with disabilities in commercial air transportation. The ADA, signed into law after the ACAA in 1990 by then-President Bush, prohibits discrimination against individuals with disabilities in omployment, public accommoda tions, commercial fheilities, telecommunications, and transportation other than by commercial airlines (e.g., subway and bus systems). [Sec. 382.1]

Question: Do the ACAA and its implementing regulations (14 CFR part 382 or part 382) apply to both U.S. and foreign anrriers?

Answar: When initially passed in 1986, the ACAA and part 382 (subsequently issued in March 1990) applied only to U.S. curriers. However, on April 5, 2000, Congress extended the applicability of the ACAA to cover foreign carriers. At approximately the same time, DOT issued a notice to foreign carriers advising them that the Department intended to use the provisions of part 382, which by its terms does not impose requirements on foreign air

carriers, as guidance in investigating any complaints it receives alleging noncompliance with the ACAA by foreign carriers. The only provision of part 382 that currently applies to foreign air carriers is Section 382.70(b), which expressly requires foreign carriers to record; categorize, and report written disshiilty-related complaints associated with any flight segment originating or terminating in the U.S. to DOT on an annual basis. DOT will soon be issuing a revised part 332 that will apply to both U.S. and foreign carriers.

*NOTE: Effective May 13, 2009, part 382 will apply to foreign earriers.

Quasrion Recently, 1 broke my leg and I'll be in a cant and walking with crutchas for several weeks. Am I covered by the ACAA?

Answer: Yes. The ACAA and part 3182 apply to individuals who have a physical or mental impairment that, ou a permanent or semporary basis, substantially limits a major life activity. Since your temporary impairment limits the ma jor life activity of wallking, you are considered a qualified individual with a disability. Therefore, you are covered by the ACAA and Part 382. [Bec. 382.3]

Question: Am I entitled to the services and accommodations required by part 382 if I'm a qualified individual with a disability but I'm not a passenger, but rather I am just going to the airport to theel a friand who is traveling?

Arriver: Yes. Carriers are required, under appropriate circumstances, to provide the services and accommodations mandated by part 382, on request, to all qualified individuals with disabilities, wheder or not such individuals are pr sengers or simply using the airport facility for other reasons (eg, meating a friend, puruhusung a ticket for a future flight, etc.)

[*41513] cuplaning assistance, on request. I nood wheelchair assistance gatting from the curb, at the entrance to the airport, to the airplane. Ars curiers required to provide wheelchair service from the curb to the airplane or only from the ticket counter to the airplane?

Answer: Part 382 require carriers to provide wheelchair enplaning help, on roqurst, freas the

came to the airplane on departure, and from the aaplane back out to the curb upon arrival. However, carriers are not required to station em-ployees as the curb to await the arrival of passengers with disabilities. Therefore, it is advisable to ask a friend or a cab driver to help in geting the sonation of carrier persoanel in the ter ninal to obtain the required assistance if the carvior does not have carb-side aitendas. If requested, after your flight sirives na your destination, the carries must also assist you in clairsing your checkso luggage before assisting you in a wheelchair to the curb. [Sec. 382.91(b)(1)]

Question: Are airliany allowed to charge for providing services to passengers with disabilities?

Anowar: Airlines ere not allowed to charge passengers for providing services or senommodations squired by part 383, but may charge for optional servient er secentsodations. En ueples of required services for which carriers may not charge are assistrace with on, faning, deploning, and making flight connectinas, and the carriage of asistive devices (including the provision of hazardous materieir packaging for wheelchair batteries, when appropriate). Examples of optional services for which wiert may charge are the provision of in-flight medical oxygen and stretcher service. [Sec. 382.31)

Question: Iwan Dying & U.S. carrier from New York to California and they damaged my expensive battery-powered wheelchair. I purchased this wheelchair last year for $ 10,000. The repair cost was $3,000. Can the carrier limit the amount of money firmy pay me for this clann to $ 2,800, as they currently may for domestic baggage claims?

Answer: No. On cirims involving damage to assistive devloan, carriers may not invoke the liability inssit applicable to baggage claims. The criterion for calculating the compensation for lost or damaged wheelchairs and other assistive devices in the original purchase price of the device. In this instance, the canier should pay you or the repair company $ 3,000 provided that you can document the initial purchase price of the wheelchair and the cost of the repair. You may also be entitled to reimbursement for the cost of a loaner or rental wheelchair while yours is being repaired. [Sec. 382.131]

Question: I'm flying from Clovaland to Chicago on ABC Airlines and then connecting on XYZ Airlines on a flight from Chicago to Seattle. I need wheeichair assistance to reach my connecting gate. Which carrier is responsible for pro-viding this whenlkhair sesistance to the connecting gate?

Allah

Answer: As the delivering currier, ABC Airlines is required to provide you with the requested wheelclair assistance in reaching your connecting gate, at which point XYZ Airlines is then responsible for providing you with assistance in enplaning onto your connecting flight. The delivering carrier must assist you in reaching your connecting gate even if you are traveling on two asperme vickets and the coanacting flight is deparing from a different terminal within the same airport. However, you should soake the need for such assistance clear to ABC Airlines before the flight, if possible. [Sec. 382.91]

Question On ainorch that must have a priority stowage space in the cabin for my personal folding wheelchair, do I still goi priority stowage for my felding wheelchair if the pllot happens to have his personal belongings in that space wlam I pro-board?

Anner: Yes. Your personal folding wheskhair takes priority over the personal carry-ou items of the pilot and crew. [Soc. 382.67)

Quation 1 fly with my service anirual and norraally ask for a bulkhead zeat, as it provides a little bit more room for my service dog. On a rocent light, the carrier would not allow ane to sit in the balkhead row with my service animal because the bulkhead row was also as emergency exit.row. Was the carrier correct in aslting me to take a seat other than a bulichoed seas in the emergency exit row?

Answer: Yes. The conter was within its rights to vefuse to permit you to sit in the butkhead wet with your service antraal, because the service animal may have blocked access to the craergency oth. Carriers muss comply with all ap-plicable FAA safety rules, even when atterapting to accommodase the needs of passenger with diashalities in such in-stances, the arrier should permh you and your service animal to move to another anat wiida the ushin thest is not lo cated in an emergency nit row that best accommodates your useds. [Sec. 352.87]

Quartier Is obesity considered a disability under the ACAA and, ao, is woman yantenget red ve two s for the price of one it he or she pesde mare thus and seat?

[*41511] euplaning assistance, on request. I need wheelchair ossistance getting from the curb, at the entrance to the airport, to the airplane. Ars carriers required to provide wheelchai ervice from the curb to the airplane or only from the ticket countor to the airplane?

Answar: Part 382 roquine carriers to provide wheelchair enplaning help, on request, from the omb to the sirplane on departure, and from the auplane back out to thes curb upon arrival. However, carriers are not reepriced to station om-ployees as the curb to await the snival of passengers with disabilities. Therefore, it is advisable to ask a friend or a cab driver to help in getting the mention of canter persoanel in the ter ninal to obtain the required assistance if the carrier does not have cob-side sitendants. If requested, after your filght scrives at your destination, the carrier must also assist you in clairsing your checksc luggage befors assisting you in a wheelchair to the carb. [Sec. 382.91(b)(1)]

Question: Are alilianu allowed to charge for providing services to passengers with disabilities?

Arower: Airlines are not allowed to charge passengera for providing services or nosommodations required by pari 382, but may charge for optlossal services or scconanmodations. En noples of required services for which carriers may not charge are assistance with stylaning, deploning, and making flight connections, and the carriage of asistive devices (including the provision of hazardous materials packaging for wheelchair batteries, when appropriate). Examples of optional services for vwkách anders may chage are the provision of in-flight medical oxygen and stretcher service. [Sec. 382.31)

Question: I was lying a US carrier from New York to Califonia and they damaged my expensive battery-powered wheelchair. I purchased this wheelchair last year for $ 10,000. The repair cost was $ 3,000. Can the carrier Unsit the amount of money fasy pay me for his claan to $ 2,800, as they currently may for domestic baggage claims?

Answer: No. On claims involving danange to amistive devions, carriers may not mveke the lizbility inalt applicable to baggage claims. The criterion for calculating the compensation for lost or damaged wheelchairs and other assistive devices in the original purchase price of the device. In this instance, the carrier should pay you or the repair company $ 3,000 provided that you can document the initial purchase price of the wheelchair and the cost of the repair. You may also be entitled to reimbursement for the cost of a losner or rental wheelchair while yours is being repaired. [Sec. 382.131]

Question: I'm flying foto Cleveland to Chicago on ABC Airlines and than connecting on XYZ Airlines on a flight from Chicago to Seattle. I need wheelchair assistance to reach my connecting gate. Which carrier is responsible for pro-viding this wheelchair assistance to the connecting gate?

Answer: As the delivering carrier, ABC Airlines is required to provide you with the requested wheelchair assistance in reaching your connecting gate, at which point XYZ Airlines is then responsible for providing you with assistance in enplaning onto your connecting light. The delivering carrier must assist you in reaching your connecting gats even if you ars traveling on two aeperme dokets and the connecting flight is departing from a diffrent terminal within the same airport. However, you should make the need for such assistance clear to ABC Airlines before the flight, if possible. [Sec. 382.91]

Question On aircraft that must have a priority stowage space in the cabin for my personal folding wheelchair, do I faill get priority stowage for my folding wheelchair if the pllot happens to have his personal belongings in that space when I pro-board?

Answer: Yes. Your personal folding wheelchair takes priority over the personal carry-on itens of the pilot and crew. [Sas. 382.67]

Quation: 1 ly with any service animal and normally ask for a bulkbend scat, as it provides a flitlo bit more rooni for my service dog. On a roount light, the carrier would not allow me to sit in the bulkhead row with my service animal because the bulkhead row was also an emergency exit row. Was the currier correct in aslcing me to take a seat other than a bulkheed sear in the nasergency exit row?

Answer: Yes. The carrier was within its rights to refuse to permit you to sil in the bulkhead seal with your service anirnal, because the service animal thay have blocked socess to the craergency anh. Carrien most comply with all ap plicable FAA safety rules, even when attempting to accoumnodare the needs of passengers with dienbitlen is nou in stances, the carrier should permb you and your servics animal to move to another saat wiida the cabin thet la mot lo cated in an emergency nit row that best accommodates your useds. [Sec. 352.87]

Question: Is chaity sunsidered a disability under the ACAA sad, if so, in wo obese patsanger motitled to two cars for the price of one if he or she nende pore than one seat?